

**SAN FERNANDO CITY COUNCIL**

**MINUTES**

**FEBRUARY 22, 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 Maribel De La Torre called the meeting to order at 6:07 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: Margarita Solis

Staff: José E. Pulido, City Administrator; Roxanne Diaz, Assistant City Attorney; and Laura Valdivia, Deputy City Clerk

**PLEDGE OF ALLEGIANCE**

Police Officer Ricardo Curiel led the pledge.

**INVOCATION**

None.

**APPROVAL OF AGENDA**

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

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Park Ranger and Explorer Advisor James A. Martinez, spoke in support of Item #11 requesting that permission be granted to the Explorers and Junior Explorers for the use of the Old Police Facility.

Officer Ricardo Curiel also spoke in support on Item #11 stating the need for additional room to accommodate the growing Explorer and Junior Explorer program.

Explorer Julio Vargas, speaking on the success of the Explorer Program and their need for more room.

Explorer Brianna Chávez, speaking on how the Explorer Program has benefited her by giving her first hand experience and preparing her for college.

Gilbert Berriozabal, 1825 Knox Street, inviting the City Council and the public to the Relay for Life Kickoff Rally on Thursday, February 24, 2005 at 6:30 p.m. at Library Plaza.

**CONSENT CALENDAR**

Motion by Councilmember Hernandez, seconded by Mayor De La Torre, to approve the Consent Calendar. The motion carried unanimously.

- 1) APPROVAL OF WARRANT REGISTER NO. 05-022
- 2) ACCEPTANCE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY GRANT
- 3) UNDER AGE ALCOHOL PURCHASE PREVENTION PROGRAM RESOLUTION
- 4) 12<sup>TH</sup> ANNUAL CESAR CHÁVEZ DAY CELEBRATION REQUEST FOR FEE WAIVER
- 5) RESOLUTION AUTHORIZING THE CITY TREASURER AND DEPUTY CITY TREASURER TO INVEST SURPLUS FUNDS
- 6) MISSION CITY TRANSIT PROGRAM
- 7) RE-SUBMISSION OF A RESOLUTION APPROVING THE APPLICATION FOR GRANT FUNDS UNDER PROPOSITION 40

**NEW BUSINESS**

8) FISCAL YEAR 2004-2005 MID-YEAR BUDGET REVIEW

Finance Director Lorena Quijano presented the staff report.

Councilmember Martinez asked if the miscellaneous employees contract was factored in.

Ms. Quijano responded that it was factored into the current year budget and their contract will be renegotiated in March or April for FY 2005-06.

Councilmember Martinez also asked if the Fire Services increase was not factored in last year, was the City absorbing it this year?

Ms. Quijano stated that because the City is billed on a monthly basis and then an adjustment is made once a year, the City's February 2004 bill for \$170,000 had not paid. She added that the City is currently disputing a \$150,000 bill and have requested additional information from the City of Los Angeles before payment will be made.

Councilmember Hernández asked what the rollover was from the Fiscal Year 2003-2004 General Fund and if we can anticipate a rollover from this year to the next.

Ms. Quijano responded that the reserve was at \$400,000 last year and she anticipates a \$500,000 rollover this year, which should bring us to \$900,000 and which includes the 6% reserve.

Councilmember Hernández then asked why only five percent of the \$200,000 allocated in the Equipment Replacement Fund had been spent, and only 54 percent of the allocation in the Water Fund had been spent.

Ms. Quijano explained that \$200,000 was budgeted in the Equipment Replacement Fund because that is what the department requested and it has not been expended yet. She went on to explain that some funds incur expenditures in the first half of the fiscal year and others in the last half. She further explained that any money in the Special Funds which are not used, will remain in the Special Funds and do not roll over to the General Fund.

Mayor Pro Tem Ruelas asked how soon after the end of the month can Council be provided a monthly expenditure report.

Ms. Quijano stated that a preliminary report could be ready by the 15<sup>th</sup> of the following month, and a final report available by the third week of the month.

Mayor Pro Tem Ruelas stated that the City would be losing \$610,000 in property taxes as a result of ERAF I and ERAF II and the Agency's amount is approximately \$340,000, so between the two it amounts to almost one million dollars. She asked if the City can expect repayment.

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Ms. Quijano stated that it will not be repaid to the City and in fact is not even included in the City's budget.

Mayor Pro Tem Ruelas asked when the City could expect to receive the grant money from the State.

Ms. Quijano stated that the City expects the money in the next couple of days.

Mayor Pro Tem Ruelas asked if the request to the State could have been made sooner.

Mr. LaBrado, Recreation and Community Services Director, explained that after the initial drawdown, the City had to wait until the project was initiated in order to request the remaining part of the State grant funds.

Mayor Pro Tem Ruelas also stated that there were no fund balances listed on the projected revenues and asked if that information will be made available.

Ms. Quijano explained that due to the timing difference of when expenditures are made and revenues are received, staff will not be able to accurately forecast revenues until we get closer to the end of the current fiscal year.

Mayor Pro Tem Ruelas inquired as to when the City's indebtedness would be addressed.

Ms. Quijano said that is something that will affect next year's budget, so it will be reviewed during the upcoming budget process.

Mayor Pro Tem Ruelas asked why there wasn't a study session scheduled prior to this City Council meeting.

Ms. Quijano explained there was not enough time to prepare an analysis of all the accounts after the payments were received in January, schedule a study session, and then bring the report to the City Council by February.

Mayor Pro Tem Ruelas stated she felt Council should be able to sit down and look at the report more carefully rather than rushing through it. She stated she still had questions about the fund balances and felt this information should be provided.

Ms. Quijano stated she would provide the Council with a report.

Councilmember Veres asked why the General Fund Interest and Rental Income is at 28% of projected revenues.

Ms. Quijano stated that the investment and interest rate the City has received over the last couple of years has been low, which staff does not have much control over. She also stated that the City has rental income that the City either has not received payments for or has received late

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payments on. Ms. Quijano stated that is something that is currently being pursued with the City Attorney.

Councilmember Veres suggested that during next year's budget process staff keep revenue projections fairly conservative and asked to be updated. He also stated the City is exceeding the revenue expectations in Police services and asked if it was do to higher fines and parking citations.

Ms. Quijano stated most of those revenues are grants that are received during first half of the fiscal year.

Councilmember Veres suggested that for the next budget process staff should keep their projections fairly conservative and also suggested that the mid-year budget information be placed on the City's website for the public to view.

Mayor De La Torre asked when the retirement fund will be depleted and if this is the same fund that is owed \$750,000 that was taken out to build the Las Palmas senior center.

Ms. Quijano explained that by the end of this fiscal year and into the next fiscal year it will be depleted and that is why it is important for the City to do something now.

Motion by Mayor De La Torre, seconded by Councilmember Martinez, to accept the mid-year budget review report.

The motion carried with the following vote:

AYES:	Hernández, Martinez, Veres, De La Torre – 4
NOES:	Ruelas – 1

**CITY COUNCIL ITEMS**

9) **SAN FERNANDO NEIGHBORHOOD COALITION**

Mayor Pro Tem Ruelas stated that at the last Council meeting, the San Fernando Neighborhood Coalition presented a set of goals they would like to work with the Council on and she is very supportive of that. She stated that all of their concerns are legitimate and we need to work toward achieving all of them.

Councilmember Martinez expressed her support for the Coalition and requested that staff disseminate any information that would impact their community in the future.

Councilmember Hernández stated he is very supportive of that neighborhood and motioned that the City Council agree to work towards the goals set forth by the San Fernando Neighborhood Coalition.

Councilmember Veres suggested that the Council consider how each and every neighborhood in the City is approached. He stated that these same problems exist in other neighborhoods and he would like the City to take a more proactive approach by taking a general position. He suggested that the issues be addressed either by re-evaluating what the Neighborhood Enforcement Action Team (NEAT) should be doing, take it off the table, or reconfigure the people working on it. He stated he is supportive of the motion.

Mayor De La Torre agreed that all neighborhoods should be included because these are issues that affect the entire community and she feels the City has done a good job of informing residents of projects. She stated that she does not know how much more the City and LAUSD could do to inform the residents than is already being done. She also stated that City staff has been out to that neighborhood on numerous occasions working to resolve existing issues and she will continue to support the residents and San Fernando to move forward.

Mayor Pro Tem Ruelas requested that the San Fernando Neighborhood Coalition provide the City Council with a schedule of dates for their upcoming meetings in order for the Council to work closer with them and attend their meetings.

Mayor De La Torre stated there was a flyer against congestion that was distributed at the last LAUSD meeting and asked if it was from the San Fernando Neighborhood Coalition.

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Ruelas to work towards the goals set forth by the San Fernando Neighborhood Coalition. The motion carried unanimously.

#### 10) COUNCILMEMBER CONFLICT OF INTERESTS

Councilmember Veres stated he feels a lot of the Council's conflict comes from Councilmembers holding certain positions with non profits which create awkward situations. He stated that the City Attorney had provided him with a copy of a document from the Institute for Local Self Government dealing with code of ethics to help eliminate some of the future conflicts. He urged the Council to disallow any Councilmember from voting on contracts with non-profits of which they are board members of or hold staff positions to. He stated he would also like to see a more extensive local code of ethics document developed using models from other cities.

Motion by Councilmember Veres to create a policy disallowing any Councilmember from participating in or voting on contracts to non-profits of which they hold board of directors positions or staff positions and, in addition, instruct the City Attorney to research and compile local conflict of interest laws that other cities of similar size and budgets to San Fernando have, and to bring it back for consideration to develop and adopt a local conflict of interest code.

The motion died due to lack of a second.

Councilmember Martinez stated she had reviewed the material and felt this was an attempt to discredit a Council Member who is running for City Council and also felt it was a political ploy and in poor taste to bring it up two weeks before the election. She stated there were some

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interesting points that are worth discussing, however, she felt it should be brought up after the March 8, 2005 election. She also stated there are a lot of people who are affiliated to non-profits that do good work in San Fernando and do not benefit financially from being associated with, or sitting on the board of directors, of these organizations. She stated she doesn't think this is the appropriate time to bring up names or start talking about who is affiliated to whom and what is gained from it. She stated that Council should take up this discussion after the election and figure it out in a study session format.

Councilmember Hernández stated he has belonged to non profit organizations dating back to 1969, and there are several organizations that he is the founding member of, not only in San Fernando but in the northeast part of the Valley. He said that all his work has been done on a volunteer basis and he would not support a Resolution that would discourage people like himself from continuing to serve and trying to improve the quality of life of young people in the community. He stated that he has had a long history of community volunteer work and is bothered when there is a question of conflict of interest. He explained that it is a tradition to be a volunteer and he is afraid the Council will try to stifle that. He stated that some of the organizations he founded became models for the rest of the country and he feels that this is not the right time to use this topic for political purposes. He said he would very much oppose any motion to squelch his involvement.

Mayor Pro Tem Ruelas stated that she agreed that several Councilmembers have a history of volunteerism in the City of San Fernando. She stated that its almost disrespectful for someone that has lived in San Fernando for not even a handful of years, to criticize their history of volunteerism and to try and take away their ability to be part of a board of directors or to be involved in an non-profit and also sit on the City Council. She said that no Councilmembers get paid for holding staff positions and she feels it's a waste of time to be bringing it up. She stated that she is more concerned about non-profits who say they are non-profits and really have not earned that status and then begin applying for CBO funds within the City. She feels that is more important of an issue that should be looked at.

Councilmember Steven Veres stated that to say this is a political issue and then to describe it as also relevant and something to tackle after the election, is ironic because if it is relevant then we should deal with it now. Addressing the comments made by Councilmember Hernández and Mayor Pro Tem Ruelas, Councilmember Veres explained there is nothing in the motion that says you cannot participate in non-profits. He said the problem is when the Council votes on contracts of financial interest for the non-profits that Councilmembers hold positions of power on. He stated that he sits on non-profit boards and he gives a lot of time volunteering, but he will not vote as a Councilmember, on any contract that has to do with a non-profit that he holds a position of power on. He stated there is something inherently wrong with being able to take City funds, directing them somewhere, and then deciding what you want to do with the funds at that location. He pointed out that there was a paragraph in his memo that talks about what great service non-profits provide for the community and all the wonderful things that non-profits do. He explained that the difference here is that the conflicts on the City Council arise from contracts and financial dealings that go directly to non-profits that some of Council sit on and work with and that is the fundamental issue with this. He said if the non-profit work is valid there should

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not be a problem for that Councilmember to recuse themselves from the vote. He said he is not talking about the merits of the work, he is talking about the awkwardness of the relationships, and if it is a relevant issue then it should be discussed any time there is an opportunity. He said it is a significant statement if you trust the work and the merits of the non-profit you sit on, to be able to step out and allow your colleagues to evaluate and determine whether the contract is worthy. He said during the last museum project discussion there was a request for an audit and it was shot down and one of the votes included the president of that non-profit who is also a Councilmember. He said if Council removes their ability to vote on contracts, then the merits of these non-profit groups and their activities would come to the forefront. He said he felt the rest of the Council could make a decision that would evaluate and consider the benefit that the non-profit is providing to the residents of the City of San Fernando. He stated that these contracts are politically driven and they are not being judged on their merit or the quality of what they are going to provide. He further stated there are enough details in politics to look at the inside and outside relationships, but when they are one in the same, when they are part of a non-profit and part of the Council it is a very difficult decision and circumstance. He acknowledged that all of the Councilmembers up there participate in some kind of activity in some kind of group and he encourages that to be continued, however, he went on to say the purpose of this proposal is to deal with financial contracts that are entered into at the City level from our positions as Councilmembers with those groups. In conclusion, Councilmember Veres stated that there is a question of who the Council is representing, the residents of San Fernando or the constituents and the people involved in the non-profit, and that is the division and the change that he wants to make.

Mayor De La Torre stated it was very interesting how there were campaign contributions, lawn sign ordinances, a ban on Councilmembers appearing on cable shows and now that there is actually something that has merit for discussion this Council is saying it is politically motivated and driven. She said that all of those things were done in the middle of an election cycle and this is actually one of the issues which is very valid and which she continues to hear about over and over. She said she does not feel that it is an attempt to discredit anyone and anytime there is interesting points worth discussing they should be discussed when that item is placed on the agenda. She stated that Councilmember Veres is not attempting to stifle any member of the Council or of the community from participating with any non-profit organization. She acknowledged that it was true that both Mr. Muñiz and Mr. Martinez have non-profits, however the biggest difference is they do not sit on the City Council making decisions to fund their non-profits. She stated that there are a number of reasons to look at this issue such as an organization like MAPA whose president is also the Executive Director of Pueblo Y Salud and who also happens to be the treasurer for Councilmember Hernández' campaign. She said it is not an arms length transaction and the community should question the motives for that relationship and relationships of every single one of the Council. She explained that when the Council has a relationship with business people those relationships are always questioned so why can't the relationships with non-profits, that we are giving money to, also be questioned. She added that some of the people who serve on these non-profits are taking cheap shots at a lot of the Council and she sometimes wonders if these non-profits, who should not be involved in political organizations, are involved in political organizations. She asked if the City's money, like the \$12,000 that went to Pueblo Y Salud, is somehow being funneled into campaigns in San

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Fernando. She stated that those are the things that need to be questioned. She said if she sat on a board and felt that the non-profit had merit and the things they were doing in San Fernando were of interest to the residents, then she would have no qualms about sitting back and recusing her vote. She said these are the issues when they refer to the museum and the request to see their books to see if Mayor Pro Tem Ruelas was a paid individual or not, and they could not look at the books and had to take it by their word. She concluded by saying Mr. Muñoz and Mr. Cano, who are Commissioners, have had to recuse themselves on votes because of the interests that they have in certain projects in the City, so why should Councilmembers be a vote above and beyond that.

Mayor Pro Tem Ruelas stated that the Civic Association's reports show no specific information or invoices for two years indicating how the \$11,000 was spent. She said that she could ask the same question, is that being funneled into somebody's campaign?

Mayor De La Torre stated that none of the Council sit on that board.

Mayor Pro Tem Ruelas stated that they are not talking about sitting on boards, they are talking about a non-profit that has not even proven their non-profit status and who has received quite a bit of money from the City but has not proven that they have spent the money in the way they said they would. She stated that she has not seen any invoices or receipts that convince her that the money was spent how it is suppose to be spent. She further stated that if Councilmember De La Torre is going to talk about people getting campaign contributions, she received a \$7,000 campaign contribution from a company that is receiving money from the City.

Mayor De La Torre stated the amount was \$5,000 and it was disclosed.

Mayor Pro Tem Ruelas explained that conflict of interest means when there is financial gain, and if Mr. Cano recused himself, it is because he was going to receive financial gain. She explained that she was not going to receive any financial gain and neither was Dr. Hernández, so that is why they did not recuse themselves and she felt they were being honest. She concluded by saying that she felt Mr. Cano was also being honest when he recused himself because he knew he was going to have some financial gain from that.

Mayor De La Torre stated she remembered when the Council was going through the discussions of the Museum project and Mayor Pro Tem Ruelas began to negotiate on behalf of the Friends. She said that it is Council's principal job when we sit on the City Council is to negotiate on behalf on the residents of the City of San Fernando irrespective of whether we sit on boards. She said it is when Council begins to go back and forth and compromise the residents of San Fernando that is when there is a need to put together these conflict of interest proposals. She explained that she sat down with City Attorney Mike Estrada to ask these same questions when she was looking into putting together a non-profit organization to assist the aquatic center and he said there will always be an appearance of conflict of interest but it is not illegal. She stated that Mr. Estrada went on to say that if you don't even want to have that appearance, there is no reason to sit on that board. She concluded by saying if it is a non-profit that is going to do what

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is good for this community and there are other board members that can sit on it, then let those board members do the job.

Mayor Pro Tem Ruelas stated that Mayor De La Torre should not be using the City Attorney to advise her on the creation of a non-profit.

Mayor De La Torre stated that it is her duty as a Councilmember to find out if she would be putting the City at a liability as a Councilmember, and that as a Councilmember her first duty is to the residents in the San Fernando and she would never jeopardize or compromise this community.

Councilmember Martinez stated she was one of the Councilmembers who brought forward the campaign contribution limits in the City of San Fernando. She stated that they would apply to her if she seeks re-election in two years and they apply to everyone as of February 3, 2005, and she felt it is something that the City was due for. She explained that the Council chose to approve five hundred dollars and that would assure that there is no one single handedly funding one candidate from one source. She felt it was the legitimate, honest and right thing to do and well overdue in San Fernando. She stated that with regard to the City's cable broadcast it basically created a blackout period so that no candidate seeking re-election will have an advantage over other candidates who are seeking office. She said that she tries to be respectful of other Councilmember's ideas and explore how those ideas can be useful for the City Council and that is why she suggested to wait until after the election. She stated she understands how things work during elections and feels this is being utilized to taint and discredit people who are running for office and doesn't think that it is fair. She said she wants to avoid bad publicity and the attacks on one another and prefers to take this discussion and talk about it in a closed session and stop embarrassing ourselves and the residents of San Fernando.

Councilmember Veres stated that this is exactly the reason he put this on the agenda. He said every time this issue of non profits and conflict of interest is discussed, this is exactly what happens. Mr. Veres stated that he voted in support of the campaign contribution limits issue because he thought it was the right thing and that is the same position and perspective he has with this issue. He said he had suggested that instead of doing it right in the middle of this campaign session, why not just wait, discuss it, and evaluate it because everything that we do needs to happen in the public because this City Council represents the public. He stated that it is not about going into closed session or going into some place to hide the difference of opinions we have, rather we need to express them, talk about them and we need to come to some resolution. He explained that just the way he thought campaign contributions were important is the same way he feels this issue is important, and instead of him being a barrier to the campaign contributions, all he requested was an opportunity to read the document. He stated that although Councilmember Martinez tried to put this item on right before the Council meeting he actually had some suggestions on how to make campaign contributions limits stronger. He said if this was political then obviously all of the candidates being accused of this should just vote for it and Council would be done with it.

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Councilmember Martinez stated that with regard to the contribution limits item, where Councilmember Veres thinks it was put on the agenda at the last minute, it was actually a misunderstanding on the part of Mr. Estrada and it was something that she had intended to bring before Council prior to the date it was voted on. She said she had made the attempt and she wanted to make sure Council was aware of that. She also stated that she doesn't want her intentions misconstrued or the public lead to believe she was trying to put something on the agenda at the last minute.

Councilmember Veres stated that even if the contribution limits item had been on the agenda earlier he would have still voted for it. He said what is being said today is lets do this after the election, which is something we could have also done for campaign contributions, but a majority of the Council felt it was something valuable and important and he was one of those people. He concluded by saying that he feels this issue is valuable and important and he thinks Council should vote on it.

Motion by Mayor De La Torre, seconded by Councilmember Veres to disallow any Councilmembers from participating in or voting on contracts to non-profits of which they are members of the Board of Directors or hold staff positions to. In addition, have the City Attorney research and compile various relevant conflict of interest laws that other cities of similar size and budget to San Fernando have in place for Council review and consideration.

The motion failed with the following vote:

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

Motion by Councilmember Martinez, seconded by Mayor Pro Tem Ruelas to bring this item back to the City Council in the form of a study session after the March 8, 2005, election. The motion carried unanimously.

**11) RELOCATION OF EXPLORER OFFICE TO THE OLD POLICE STATION**

Mayor De La Torre stated she placed this item on the agenda after receiving a memo from Officer Curiel with respect to the Explorer Post growth and their need for additional space to continue this program and expand both the Explorer and Jr. Explorer program. She said she wanted to bring this forth to the City Council to discuss the option of using the Old Police Station to house the Explorer Program.

Councilmember Martinez stated she supports relocating the Explorers to the Old Police Station and believe this is well overdue. She said the Old Police Station needs to be revamped and she feels there is nothing better than to have young people in there jazzing it up and getting things done. She said its wonderful that Officer Curiel and Mr. Martinez are taking the initiative, and she commended both of them for all the hard work they put into these young people, stating there is not a lot of people have the passion and the drive to work with our young folks in our

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community. She commended both of them for an outstanding job and offered her help as a Councilmember or resident with anything she can do to try and bring them resources.

Councilmember Hernández also expressed his support for the relocation but asked why the Explorers would have to pay for the public utilities. He said that with the many hours they volunteer every year, surely it is the least the City can do to pay for the heating, water and telephone. He stated they are a very noble group and offered any support the Council can give.

Mayor Pro Tem Ruelas expressed her support as well and asked if a lease agreement is necessary since the Explorers are a non-profit organization.

Councilmember Hernández stated that they have always been part of the Police Department and does not think it should be treated as a separate entity.

Mayor Pro Tem Ruelas stated that it is a separate entity because it is a non-profit and she asked if the City Attorney could respond to her question.

City Attorney Roxanne Diaz stated that the Police Explorers do not have a lease agreement or MOU with the City for the use of the current facility. She said that one of the options for the City is to look at this group as an extension of the City to allow them the use of the Old Police facility. She stated it would be helpful if the City entered into some kind of contractual arrangement. She said she understood that there was a lease with the City of Los Angeles where San Fernando cannot lease, sell or transfer the property without a vote of the people. She explained that she and the City Administrator will look into entering into this arrangement and accommodate the Explorers without affecting the agreement with Los Angeles, if that is the direction given by the Council. She further explained that staff will explore those issues and should there be a problem it will bring it back to the Council, however, if the direction is given to move ahead and have the Explorers housed in that area, staff will make sure that it is done in a way that safeguards the City but also does not run afoul of the measure and the restrictions on that building.

Mayor Pro Tem Ruelas asked if the asbestos level has been explored in the building.

Officer Ricardo Curiel addressed Mayor Pro Tem Ruelas' question by stating that it was brought to his attention two weeks ago and he was told that before the Old Police Station was remodeled an asbestos test was done and it was negative, so the remodel went forward.

Councilmember Veres asked if this could be considered an extension of the City's Police Station as police operations, since it is the conducting of police business.

City Attorney Roxanne Diaz stated she would need to consult with City Attorney Michael Estrada.

Councilmember Veres also stated that he has a concern that half of the building is unusable and there has been recent discussion about demolishing the building. He said once a decision is

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made about the future of the building then he would like the City to figure out another arrangement to house the expanded Explorer program, whether it is in that facility or another facility. He stated that having only half of the building unusable is not the most efficient use for the building. He stated that although the front section of the building is in good shape, the building as a whole still has some problems and if Council approves this agreement he would like to include in the agreement that the City will work with the Explorers and accommodate them in the future. He stated his support.

City Attorney Roxanne Diaz stated the motion should be to instruct staff to move forward with the proposal of relocating the Explorer Office to the Old Police Station and should there be more formal action needed then it would be brought back to the Council at a later date.

Mayor De La Torre stated that Officer Curiel will be working with the utility companies to get some subsidizing and grant money and that way the City does not have to subsidize them and impact the City's General Fund. She asked that if the City does need to vacate the building, that the Explorers be given a 30 day notice to vacate.

City Attorney Roxanne stated she will be reviewing the document because it does prohibit a lease. She said that staff will explore options of having an arrangement either written or non-written and bring the item back to Council for action or information.

Chief Anthony Alba stated the Police Department would be willing to agree to extending the Police Department to the Old Police Station for the responsibility of the Explorers.

Motion by Councilmember Veres, seconded by Mayor De La Torre to allow the San Fernando Police Explorer Post to relocate the Explorer operation center to the Old San Fernando Police Station. The motion carried unanimously.

**GENERAL COUNCIL COMMENTS**

Councilmember Martinez: 1) congratulating the Explorers and thanking them for all they do; 2) thanked Community Development Director Paul Deibel and Assistant Planner Fred Ramirez for meeting with her to discuss a neighborhood plan for Eighth Street and other neighborhoods; and, 3) asked City Engineer David Lawrence if the City experienced any problems in connection with the recent storms.

Mr. Lawrence stated the City has been addressing problems as they come up but there have not been any significant problems.

Councilmember Hernández stated that this is a very unusual election and he does not ever remember there being an election like this. He said he received a disturbing phone call from someone and he was caught very unprepared.

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Mayor Pro Tem Ruelas: 1) saw an item in the Warrant Register that referred to a sink hole and wondered if the City had experienced a problem with sink holes; 2) would like the meeting adjourned in memory of Patrick Cortez who was killed in a motorcycle accident last week; and 3) asked if maybe the City can get some volunteers to drive Carmen Rodriguez to the medical sites that Mission City Transit doesn't drop off at.

Mr. Lawrence responding to Mayor Pro Tem Ruelas stated he was not aware of any sink holes currently in the City of San Fernando.

Councilmember Veres: 1) stated he was disappointed that the issue that he feels strongly about was dealt with in an awkward way and he feels it should be revisited every year; and 2) suggested that the new City Council attend the team building session presented by the League of California Cities similar to the one Council attended two years ago.

Mayor De La Torre: 1) invited everyone to attend the Relay for Life Kickoff on Thursday, February 24, 2005; 2) has been receiving complaints from seniors saying the Mission City Transit operators are very rude over the phone, especially to the Spanish speaking residents; 3) thanked staff on the great job they did on the Senior Housing Groundbreaking event; and 4) stated she has also been experiencing problems with the election and there was a dead cat found on her front lawn.

**STAFF COMMUNICATIONS**

City Administrator José Pulido thanked staff for the excellent Senior Housing groundbreaking event and congratulated the City Council for having the vision and the foresight to move forward with such an important project and staff appreciates the opportunity to deliver on that.

**ADJOURNMENT (8:06 P.M.)**

Motion by Mayor De La Torre, seconded by Mayor Pro Tem Ruelas, to adjourn the meeting (in memory of Patrick Cortez). The motion carried unanimously.