

SAN FERNANDO CITY COUNCIL

MINUTES

JANUARY 18, 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 6:12 p.m.

The following persons were recorded as present:

PRESENT:

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

City Treasurer: Margarita Solis

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

PLEDGE OF ALLEGIANCE

Director of Recreation and Community Services Dan LaBrado led the pledge.

INVOCATION

None.

PRESENTATIONS

A) INTRODUCTION OF NEW CITY EMPLOYEE NORA HERNÁNDEZ

Community Development Director Paul Deibel introduced Mrs. Hernández and she was welcomed by Councilmembers.

B) AMERICAN HEART ASSOCIATION "GO RED FOR WOMEN" DAY – FEBRUARY 4, 2005

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Mayor De La Torre presented the certificate to Michael Selkridge (American Heart Association representative).

APPROVAL OF AGENDA

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Ed Bañuelos, 22944 Keswick St., West Hills, SF Valley Chamber of Commerce Chair, said they are excited about the upcoming candidates' forum which they hope will be aired on the public access channel.

Eugene Hernández, P.O. Box 920395, Sylmar, supports the renaming of Park Ave. to Cesar Chávez Ave. and thanked Councilmember Hernández for his progressive efforts.

Susana Llamas, 1114 N. Brand Blvd., thanked Councilmembers for the recent community meeting in their neighborhood regarding the new elementary school site.

Peter Eliasberg, ACLU of Southern California, 1616 Beverly Blvd., Los Angeles, said it was illegal and wrong to prohibit candidates from appearing on Time Warner Programs.

Martha Diaz Aszkenazy, 601 S. Brand Blvd., San Fernando Valley Sun newspaper, read a letter from the newspaper's editor requesting the use of the Time Warner government access channel to hold a candidates' forum.

Ruthie Grant, professor at Mission College, urged the City Council to reconsider its decision regarding allowing candidates to appear on the cable channel.

Ray Groff, 327 Alexander St., spoke in opposition of renaming Park Avenue to Cesar Chávez Avenue.

Angel Granados, 1960 Seventh St., candidate for City Council, said he believes that the City Council wants to be fair regarding candidates and incumbents on public access television but said that the candidates' forum may be their only opportunity to meet with residents.

Gilbert Berriozábal, 1825 Knox St., candidate for City Council, talked about issues regarding lawn signs and stated that many shows for the public access channel have already been taped and aired and asked about possible repercussions.

Christina Provencio, 605 Hollister St., said she's proud of our Police Department, is concerned about what the City is doing for our youth, and said that we live in a country where we have freedom of speech and people should be allowed to appear on cable shows.

CONSENT CALENDAR

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

- 1) APPROVAL OF WARRANT REGISTER NO. 05-012

NEW BUSINESS

- 2) APPROVAL OF CONTRACT FOR INTERIM PUBLIC WORKS DIRECTOR

Personnel Manager Michael Okafor presented the staff report.

Motion by Councilmember Veres, seconded by Councilmember Hernández, to approve the contract to hire James S. Davis to perform the duties of Interim Public Works Director effective January 24, 2005. The motion carried unanimously.

- 3) ADOPTION OF A RESOLUTION AMENDING COUNCIL PROCEDURAL RULES BY ADDING PROVISIONS FOR MOTION TO CENSURE

Atty. Estrada presented the staff report and responded to questions from Councilmembers.

Councilmember Martinez said she would be comfortable if her colleagues just agreed to be more respectful to one another and adhere to Robert's Rules of Order.

Mayor Pro Tem Ruelas said that her concern is that Councilmembers make comments and question the motives of other Councilmembers and that is what prompted her to bring this forward.

Councilmember Veres said that Councilmembers should have the right to express what they believe.

Mayor De La Torre read an email sent by resident Lucinda Nunez stating that censuring should not be acceptable.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to adopt a Resolution amending the Procedural Manual for the Conduct of City Council Meetings by adding provisions for motion to censure. The following roll call vote was taken:

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

Attorney Estrada explained that the motion would carry with a vote of 2-1-2.

Further discussion ensued and the City Clerk was asked to take a roll call vote once again. The above motion failed with the following vote:

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

3b) CLARIFICATION OF ACTION TO PROHIBIT CANDIDATES (OR FAMILY MEMBERS) FOR CITY COUNCIL FROM APPEARING ON CITY'S CABLE CHANNEL

Atty. Estrada presented the staff report.

Motion by Councilmember Martinez that the City Council declare that its intent in approving Item #13 on January 3, 2005, was to prohibit candidates and/or family members for City Council from appearing on the City's educational and governmental access cable channel and not prohibiting candidates for City Council from appearing on any other channel operated by Time Warner (with the exception of candidate forums or debates where all candidates are invited and provided an equal opportunity to participate).

Mayor De La Torre requested an amendment that she be allowed to continue as an immediate contact person under state of emergencies or catastrophic events.

Councilmember Martinez accepted the amendment, and the motion was seconded by Councilmember Veres and carried with the following vote:

AYES: Martinez, Veres, Ruelas, Hernández – 4
NOES: None
ABSTAIN: De La Torre – 1

Motion by Councilmember Veres, seconded by Councilmember Martinez, to allow the San Fernando Valley Sun and Chamber of Commerce to conduct a forum/debate to be aired on the cable channel so long as this debate provides an equal level field for all candidates. The motion carried with the following vote:

AYES: Veres, Hernández, Martinez - 3
NOES: None
ABSTAIN: Ruelas, De La Torre – 2

CITY COUNCIL ITEMS

- 4) PARK AVENUE NAME CHANGE TO CESAR E. CHÁVEZ AVENUE (FOURTH STREET TO FIRST STREET)

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Ruelas, to rename Park Avenue (from Fourth Street to First Street) to Cesar E. Chávez Avenue.

Councilmember Veres said that he does not have a problem with the name change but suggested that a public forum be held to allow for more discussion and give people an opportunity to express their ideas.

By consensus, Item Nos. 4 and 5 were tabled for the next City Council meeting to be held at Recreation Park.

- 5) FIRST STREET NAME CHANGE TO ROBERT KENNEDY DRIVE (JESSIE STREET TO PACOIMA WASH)

Tabled to the next City Council meeting to be held at Recreation Park.

- 6) LAWN SIGN REGULATIONS

Mayor Pro Tem Ruelas reported that there is not enough time to include information regarding lawn signs in the residents' water bills, therefore suggested that information be placed on the City's website, or a short clip on the Time Warner program informing residents of their rights.

Discussion ensued regarding fines, written consent, and the enforcement process.

Motion by Councilmember Veres, seconded by Councilmember Hernández, to suspend the ordinance regarding lawn signs and instruct City staff to place information on our cable show informing residents of their rights including displaying of lawn signs. The motion carried unanimously.

Discussion ensued regarding rescinding the previously adopted ordinance.

Motion by Councilmember Veres, seconded by Mayor De La Torre, to instruct the City Attorney to bring back an ordinance rescinding the previously approved ordinance regarding lawn signs. The motion carried unanimously.

GENERAL COUNCIL COMMENTS

Councilmember Martinez believes that Councilmembers are trying to do their best and in doing so should conduct themselves accordingly.

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Mayor Pro Tem Ruelas: 1) in response to a comment from a speaker, reported that part of her job as Professor of Child Development is to visit local schools; and 2) said that the censuring motion did not pass yet Councilmembers should remember to follow Robert's Rules of Order.

Councilmember Veres: 1) reported that the senior housing meeting was well attended and informative; and 2) suggested that City Council agenda items be an opportunity to introduce an idea or concept and not necessarily implement immediately.

Mayor De La Torre: 1) reported that there was much participation in the senior housing workshop; 2) gave each Councilmember a copy of the Constitution of the United States of America; and 3) suggested that in an effort to provide equality, Councilmembers could rotate their appearances on local cable programs.

STAFF COMMUNICATION

Mr. Pulido thanked staff and everyone involved regarding the Senior Housing Project.

Atty. Estrada respectfully reminded Councilmembers to follow Rule 2.2 (b) in the Procedural Manual when adding items on the agenda.

ADJOURNMENT (8:28 PM)

Motion by Councilmember Martinez, seconded by Mayor Pro Tem Ruelas, to adjourn. The motion carried unanimously.