

SAN FERNANDO CITY COUNCIL

MINUTES

JANUARY 3, 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 6:41 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 José Hernández, Ph.D.

City Treasurer: Margarita Solis

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

Mayor De La Torre asked for a moment of silence in for the victims of the tsunami.

APPROVAL OF AGENDA

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

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PUBLIC STATEMENTS – WRITTEN/ORAL

John Halluck, 415 Park Ave., said that although, they support paying tribute to Cesar Chávez, the name change of Park Ave. will have a negative financial impact on their business (having to change brochures, business cards, stationery , etc.).

Rick Monsoor, 415 Park Ave., said his company has been on Park Ave. since 1985 and echoed Mr. Halluck's concerns. He suggested renaming the portion of the street that was directly in front of the park that did not affect the businesses.

Ken Elsworth owns several buildings on Park Ave. and also suggested that only a portion of Park Ave. be renamed.

Ray Groff, 327 Alexander St., said illegal immigrants have threatened him and said that Congressman Berman has done nothing to protect U.S. borders

Joe Lozano, 14631 Brand Blvd., thanked the City for addressing the seniors' concerns and for allowing them to be grand marshals of the parade (they had a great time).

CONSENT CALENDAR

Councilmember Veres removed Item No.s 4 and 6, and Mayor Pro Tem Ruelas removed Item No. 7 for further discussion.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Ruelas, to approve the remaining Consent Calendar items. The motion carried unanimously.

- 1) APPROVAL OF WARRANT REGISTER NO.S 04-122 AND 05-011
- 2) AMENDMENT TO CONTRACT BETWEEN THE CITY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
- 3) CAMPAIGN LIMITS ON CONTRIBUTIONS
- 5) SAN FERNANDO CORRIDORS SPECIFIC PLAN
- 8) ACCEPTANCE OF SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUNDS (SLESF) FOR FISCAL YEAR 2004-2005
- 9) ACCEPTANCE OF LOCAL LAW ENFORCEMENT BLOCK GRANT FISCAL YEAR 2004-2005

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Items Removed for Further Discussion:

4) POSTING ON PRIVATE PROPERTY

Motion by Councilmember Veres, seconded by Mayor De La Torre, to adopt the ordinance with effective date of March 9, 2005. The motion failed with the following vote:

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

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Martinez, to adopt Ordinance No. 1561. Title: “An Ordinance of the City Council of the City of San Fernando Adding Section 6-3 (Posting and Removal on Private Property) and Section 6-4 (Penalty for Violation) of Article I (in General) of Chapter 6 (Advertising) of the San Fernando City Code.” The motion carried with the following vote:

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

6) PARK AVENUE NAME CHANGE

Councilmember Veres said that he pulled this item based on testimony during public comments and believes that there is a need for more thorough discussion.

Motion by Councilmember Veres, seconded by Mayor De La Torre, to table this item for a Study Session in order to further evaluate the impact of a name change and consider viable alternatives. The motion failed with the following vote:

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

Motion by Mayor Pro Tem Ruelas to rename Park Ave. to Cesar E. Chávez Avenue (between First and Fourth Streets), not including the business portion of the street. The motion failed due to a lack of a second.

Motion by Councilmember Veres, seconded by Mayor De La Torre, to evaluate the name change of First St. (from Jessie St. to the Pacoima Wash) to Cesar E. Chávez Avenue. The motion failed with the following vote:

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

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Mayor De La Torre suggested, since no action was taken, to table this item until a decision is made on how to move forward.

At this time, Councilmember Veres stepped away from the dais.

7) CITY AND REDEVELOPMENT AGENCY (RDA) ANNUAL FINANCIAL REPORTS

Mayor Pro Tem Ruelas said that one of the audit reports referred to reports being submitted late. It stated that timely reporting is necessary to monitor projects' progress for both grantor and grantee (under Federal Award Findings). She requested that the City Administrator monitor those to make certain that reports are done on a timely basis.

Motion by Mayor Pro Tem Ruelas, seconded by Mayor De La Torre, to accept and direct staff to file the following reports for Fiscal Year 2003-2004:

- a) Redevelopment Agency Independent Audit Report;
- b) Comprehensive Annual Financial Report (CAFR) covering the financial activities of the City and RDA;
- c) Financial Transactions Reports for the City and the RDA;
- d) Statement of Indebtedness as filed on October 1, 2004; and
- e) Housing Activity Report covering activities of the Low and Moderate Income Housing Fund, as prepared by Community Development and Finance Departments.

The above motion carried with the following vote:

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

PUBLIC HEARING

10) ALLOCATION OF 31ST YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR FISCAL YEAR 2005-2006

Councilmember Veres returned to the dais.

Community Development Director Paul Deibel presented the staff report.

Finance Director Lorena Quijano reported that a new resolution had been distributed at the meeting with minor changes and she responded to inquires from Councilmembers.

Mayor De La Torre declared the Public Hearing open and called for public testimony, either in favor or opposed.

There being no comments, Mayor De La Torre closed the public portion of the Hearing.

Motion by Mayor De La Torre, seconded by Councilmember Hernández, to adopt a Resolution approving intended allocations; direct staff to submit documentation conveying the Resolution to the Los Angeles County Community Development Commission for approval; and authorize the City Administrator to approve any monetary program and changes that do not exceed 10% of approved total project funding. The motion carried unanimously.

CITY COUNCIL ITEMS

11) APPOINTMENT TO THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT BOARD OF TRUSTEES

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to appoint Dan DiTomaso to a two-year term as member of the Board of Trustees of the Greater Los Angeles County Vector Control District effective immediately. The motion carried with the following vote:

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

12) VERIFICATION OF COLLEGE DEGREE

Mayor Pro Tem Ruelas said that it recently came to her attention that there was no policy established regarding verifying college degrees.

Motion by Mayor Pro Tem Ruelas that a policy regarding verification of college degrees be established for all City positions requiring college degrees or special training certifications. The motion failed due to the lack of a second.

In response to questions from Councilmembers, Personnel Manager Michael Okafor stated that it was a management policy issue and the current practice is that staff usually requests that the original diploma be presented for verification.

Councilmember Martinez that said she would feel more comfortable discussing this in a Closed Session.

No action was taken.

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13) TIME WARNER PROGRAMMING

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Martinez, that that no candidate for City Council appear on any Time Warner program until after the March election (this would eliminate any advantages).

Councilmember Veres offered an amendment to the motion to also indicate that family members of candidates be restricted.

Mayor De La Torre requested an amendment that the Mayor be allowed to continue specific assignments in the event of a disaster or emergency.

Mayor Pro Tem Ruelas said that the Chief of Police or City Administrator could fulfill the role and did not accept this amendment.

The above motion, along with Councilmember Veres' amendment, carried with the following vote:

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

14) SELECTION OF NEW ELEMENTARY SCHOOL SITE

Mayor Pro Tem Ruelas said that at the last town hall meeting at the YWCA, there were several residents stating they had not been informed about the proposed new school site in the neighborhood.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to approve the following policy:

- Residents within the 600 ft. radius of a potential school site shall be informed when a certain location has been identified by LAUSD as a possible new school site;
- That a town hall meeting be held with the San Fernando City Council in the neighborhood regarding the new proposed site (soon after the site is identified by the school district);
- Residents within the 600 ft. radius of the proposed site will be kept informed of the progress; and
- That all Councilmembers should be able to provide input as to the planning of such town hall meetings.

Mayor De La Torre and Councilmember Veres stated they have concerns regarding the process.

Atty. Estrada suggested changing the reference to “the site” to “the City learns that the site”.

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The above motion, along with Atty. Estrada's suggested change, carried with the following vote:

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

15) **CENSURING DURING A COUNCIL MEETING AND ADHERING TO ROBERT'S RULES OF ORDER**

Motion by Mayor Pro Tem Ruelas to direct the City Attorney to draft a resolution (bring back for adoption) to include a section in the Procedural Manual for the Conduct of City Council Meetings regarding censuring a Councilmember for improper conduct or use of language during meetings.

The above motion was seconded by Councilmember Hernández.

Councilmember Martinez said that it was disappointing that it has come to this and this item would not be on the agenda if Councilmembers were more respectful to one another.

Councilmember Veres stated that, for the record, comments in the memo attached to the agenda packets were untrue (there are differences of opinions).

Mayor De La Torre reviewed the rules of decorum regarding City Council meetings and reminded Councilmembers to not interrupt each other and speak out of order. She stated that Robert's Rules of Order will be enforced and adhered to.

The above motion carried with the following vote:

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

GENERAL COUNCIL COMMENTS

Mayor Pro Tem Ruelas asked that the meeting adjourn in memory of Samuel Valdivia.

Councilmember Martinez hoped that everyone enjoyed their holidays and said it was nice to be back.

STAFF COMMUNICATION

None.

RECESS TO CLOSED SESSION (8:42 PM)

Mayor De La Torre reminded Councilmembers that all matters discussed during Closed Session shall be private and confidential and the disclosure by any person of the topics or details of such nature is prohibited.

Motion by Mayor De La Torre, seconded by Councilmember Veres, to recess to the following Closed Session, thereafter to adjourn in memory of Samuel Valdivia. The motion carried unanimously.

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

The City Council completed its annual performance evaluation of the City Administrator.