

SAN FERNANDO CITY COUNCIL

MINUTES

JUNE 6, 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 Julie Ruelas called the meeting to order at 6:35 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 Steven Veres asked Public Works employee Robert Sahagun to lead the pledge.

INVOCATION

Mayor Ruelas read a poem.

PRESENTATIONS

A) RECOGNITION OF FORMER PLANNING COMMISSIONER MARISELA TORRES

Marisela Torres was not present.

B) CHILDREN, YOUTH AND FAMILIES ADVISORY COMMITTEE

Mayor Ruelas presented the certificates to committee members.

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C) NATIONAL FOSTER PARENT MONTH

Mayor Pro Tem Martinez presented the proclamation to members of Nuevo Manecer Latino Services.

D) SAN FERNANDO HIGH SCHOOL METROPOLITAN WATER DISTRICT SOLAR CUP EVENT

Councilmember De La Torre presented certificates to high school students.

APPROVAL OF AGENDA

Motion by Councilmember Veres, seconded by Councilmember Hernández, to approve the agenda. The motion carried unanimously.

PUBLIC STATEMENTS – WRITTEN/ORAL

Ray Groff, 327 Alexander St., said that through the years, attempts were made by Councilmembers to intimidate him for talking about gangs and crime and now there are gangs all over.

Mandy Cubit, Lighthouse Christian Center Pastor (1231 First St.), said they are requesting closure of the alley behind the church due to several concerns including safety (speeding cars), graffiti, bulky trash items dropped off near their bin, and parking problems.

Mayor Ruelas asked that this be referred to the Transportation and Safety Commission.

Leroy Frank and Dorothy Williams both agreed with Pastor Cubit.

Julie Butcher, SEIU Local 347, representing many City workers, urged Councilmembers to vote in favor of the settlement proposal that is scheduled for Closed Session.

CONSENT CALENDAR

Mayor Ruelas removed Item No. 2 for further discussion. Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to approve the remainder of the Consent Calendar items. The motion carried unanimously.

- 1) APPROVAL OF MINUTES OF:
 - A) NOVEMBER 15, 2004 – REGULAR MEETING
 - B) APRIL 18, 2005 – REGULAR MEETING

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- 3) NOTICE OF COMPLETION AND PROJECT ACCEPTANCE – WATER MAIN REPLACEMENT AT DEHAVEN STREET, DEGARMO STREET, AND DEFOE STREET - PROJECT NO. 7526 – PLAN NO. P-694.

Items Removed for Further Discussion:

- 2) APPROVAL OF WARRANT REGISTER NO. 05-061

In response to Mayor Ruelas' question, Finance Director Lorena Quijano reported that the invoice for Tom Brohard & Associates was regarding a litigation case involving a bus stop accident at Glenoaks Blvd. and Maclay Ave.

Mayor Ruelas asked about a payment to Perez Development and Community Development Director Paul Deibel explained that it had to do with an application fee for entitlements that, as it turned out, was not necessary.

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

PUBLIC HEARING

- 4) FY 2004-2005 WEED ABATEMENT PROGRAM

City Clerk Chávez announced that this was the time and place for the Hearing, and that the notice had been legally published.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to receive public comments regarding the Weed Abatement Program. The motion carried unanimously.

City Clerk Chávez announced that no written protests were received.

Mayor Ruelas asked for public comments regarding the Weed Abatement Program.

Ray Groff, 327 N. Alexander St., asked if staff had any suggestions regarding chemicals he could use that will not pollute the water or poison animals.

José Guzman, 1307 Eighth St., said that he received a notice regarding destroying weeds but it was not specific as to what he needed to do.

Councilmember De La Torre said that one of her neighbors was disabled and asked if next year, a fund could be set up to assist those in need (Mayor Pro Tem Martinez agreed).

Councilmember Veres said that he doesn't have a problem with the way the program is currently structured. It addresses public health concerns regarding overgrown weeds, rubbish, and debris

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and if the property owner can not pay for clean up, it will become a lien on their property and will not be collected until the property is sold.

Regarding Mr. Groff's question, Interim Public Works Director Jim Davis suggested that he go to a gardening shop and see if they can make a recommendation (staff should not make one).

Mr. Deibel reported that Mr. Guzman will contact staff to find out what he needs to do with his property to bring it into compliance.

There being no further comments, Mayor Ruelas closed the public portion of the Hearing.

Motion by Councilmember Hernández, seconded by Councilmember Veres, to order the Public Works Department to proceed with the FY 2004-2005 Weed Abatement Program. The motion carried unanimously.

5) **FY 2005-2006 LANDSCAPING & LIGHTING ASSESSMENT DISTRICT**

City Clerk Chávez announced that this was the time and place for the Hearing, and that the notice had been legally published.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to receive and file the affidavit. The motion carried unanimously.

City Clerk Chávez announced that no written protests were received.

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

There being no comments, Mayor Ruelas closed the public portion of the Hearing.

In response to questions, Mr. Davis reported that most of the street lights were maintained by Edison, but would report back with specifics.

Motion by Councilmember Hernández, seconded by Councilmember Veres, to adopt a Resolution ordering continued maintenance of the City's streetlights and confirming the annual assessment. The motion carried unanimously.

CITY COUNCIL ITEMS

6) **APPOINTMENT OF CITY COUNCIL LIAISON ASSIGNMENTS**

Councilmember De La Torre requested that she remain as liaison to the Economic Alliance of the S.F. Valley.

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Councilmember Veres suggested that staff representatives be included on the list (i.e. Independent Cities Risk Management and Independent Cities Lease Finance Authority).

Motion by Councilmember Hernández, seconded by Councilmember Veres, to approve the 2005-2006 City Council Liaison Assignments with above changes. The motion carried unanimously.

7) **USE OF TRAVEL FUNDS**

Councilmember Veres said he was requesting authorization to attend the National Civic League Conference on June 23-25-2005. He stated that the Travel Policy requires City Council approval for out-of-state travel and he reported that the cost is within his allocation

Motion by Councilmember Hernández, seconded by Councilmember De La Torre, to approve the travel. The motion carried unanimously.

GENERAL COUNCIL COMMENTS

Councilmember De La Torre said that she received an anonymous call from a woman that was upset because her picture was on a cable show. Chief Alba reported that the show was regarding the different types of violations occurring at local schools causing safety concerns but he would look into her concern.

Councilmember Hernández: 1) said that the public safety program on cable is very educational and other recent programs are worthwhile and useful to the community; and 2) reported that the old GE building has graffiti (Coronel St. side) and that the street lights at the Mission Community Hospital parking lot are not functioning properly.

Mayor Pro Tem Martinez: 1) Wished Dan LaBrado a happy birthday; 2) said she recently attended a conference held by the UCLA Labor Center and was glad to see Asst. Planner Antonio Castillo there also; 3) is pleased that the budget process is moving along and commended staff; and 4) said that she will be inviting Chief Alba to attend meetings with her regarding implementing valet drop-off programs at local schools.

Councilmember Veres: 1) reported there were two dead trees on the 400 block of Fermoore St.; 2) per his request, Mayor Ruelas formed an Alley Ad Hoc Committee and appointed Councilmembers Veres and Hernández; 3) talked about the upcoming Metropolitan Water District Inspection Tour; and 4) said that there will be a community workshop regarding the Pacoima Wash Project.

STAFF COMMUNICATION

Mr. Pulido and staff wished Mr. LaBrado a happy birthday.

Mr. Deibel reminded Councilmembers to sign up for the American Planning Association, Los Angeles Section, awards banquet at which the City will be presented with an Outstanding Planning Award for the San Fernando Corridors Specific Plan.

RECESS TO CLOSED SESSION (8:04 PM)

By consensus, Councilmembers recessed to the following Closed Session, as announced by the City Attorney, thereafter to adjourn. The motion carried unanimously.

A) CONFERENCE WITH LABOR NEGOTIATORS (G.C. Section 54957.6)

Negotiator: City Administrator Jose E. Pulido

Employee Organization: San Fernando Public Employees Association

**B) 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 the denial of Conditional Use Permit No. 2005-01 (Roadhouse Cafe):

Information set forth in letter received from counsel for the applicant dated April 18, 2005; threatening litigation (the letter is available in the office of the City Clerk).

No reportable action.