

SAN FERNANDO CITY COUNCIL

MINUTES

OCTOBER 17, 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 6:05 p.m.

The following persons were recorded as present:

PRESENT:

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

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

ABSENT: City Treasurer Margarita Solis

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Martinez led the pledge.

INVOCATION

Mayor Ruelas read a quote from Oliver Wendell Holmes.

PRESENTATIONS

A) CALIFORNIA PRESERVATION FOUNDATION 2005 DESIGN AWARD

Mayor Ruelas and Community Development Director Paul Deibel reported that the San Fernando Historic Preservation Element of the General Plan had been recognized for excellence by the California Preservation Foundation and the City had been presented with this prestigious award.

APPROVAL OF AGENDA

Mayor Ruelas reported that there was a request to add an item to the agenda by Cold Stone Creamery for an amplified sound permit. She also stated that she would be removing Item No. 8 and renaming No. 9 Amendment to General Budget Allocation/Skate Park.

Motion by Councilmember Veres, seconded by Councilmember Dr. Hernandez, to approve the agenda with the above-mentioned changes. The motion carried unanimously.

PUBLIC STATEMENTS – WRITTEN/ORAL

Ray Groff, 327 Alexander St., talked about speeding cars on Fourth St. and said that it was very noisy.

Richard Arroyo, Historical Commissioner, thanked the consultant firm that worked with staff on the Historic Preservation Element.

CONSENT CALENDAR

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

- 1) APPROVAL OF MINUTES OF OCTOBER 3, 2005
- 2) APPROVAL OF WARRANT REGISTER NO. 05-102
- 3) RESOLUTION AMENDING THE INDEPENDENT CITIES LEASE FINANCE AUTHORITY (ICLFA) AGREEMENT
- 4) MISSION CITY TRANSIT PROGRAM – AMENDMENT TO AGREEMENT
- 5) SALE OF SURPLUS POLICE VEHICLES

PUBLIC HEARING

- 6) ADOPTION OF URGENCY ORDINANCE NO. U-1566, EXTENDING PREVIOUSLY APPROVED URGENCY ORDINANCE NO. U-1564 ESTABLISHING A MORATORIUM ON DEVELOPMENT OF COMMERCIAL WIRELESS TELECOMMUNICATIONS FACILITIES

Mayor Ruelas declared the Public Hearing open.

Community Development Director Paul Deibel presented the staff report.

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In response to questions, Mr. Deibel stated that the 90 day moratorium was based on consultation with the City Attorney and staff is comfortable with the 90 days.

Mayor Ruelas asked if there were audience members who wished to speak in favor or in opposition of the project.

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

Motion by Councilmember Veres, seconded by Councilmember De La Torre, to adopt Urgency Ordinance No. U-1566 entitled: “An Interim Ordinance of the City of San Fernando Pursuant to California Government Code Section 65858 Extending the Term of Urgency Ordinance U-1564, which Prohibits the Issuance of Permits and Other Entitlements for Commercial Wireless Telecommunication Facilities and Prohibits the Construction or Installation of Commercial Wireless Telecommunications Facilities in the City During the Pendency of the City’s Review and Adoption of Regulations for Such Uses, and Declaring the Urgency Thereof”, and waive further reading. Also, that the moratorium be extended to 60 days (instead of 90 days). The motion carried with the following vote:

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

7) **ORDINANCE REGARDING ANIMAL FACILITIES INSPECTIONS AND GRADE CARDS**

Mayor Ruelas declared the Public Hearing open.

Community Development Director Paul Deibel presented the staff report.

Mayor Ruelas asked if there were audience members who wished to speak in favor or in opposition of the project.

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

Motion by Councilmember Hernández, seconded by Councilmember Veres, to adopt Ordinance No. 1567; “An Ordinance of the City of San Fernando Adopting by Reference Title 10, Animals, of the Los Angeles County Code”. The motion carried unanimously.

NEW BUSINESS

8) **REQUEST BY COLD STONE CREAMERY (120 N. MACLAY AVE., #A) FOR A PERMIT FOR AMPLIFIED SOUND FOR GRAND OPENING EVENT ON NOVEMBER 5, 2005**

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Senior Planner Fred Ramirez gave information regarding the request from Cold Stone Creamery.

Motion by Councilmember Hernández, seconded by Councilmember Veres, to approve the request for a permit for amplified sound for November 5, 2005. The motion carried unanimously.

CITY COUNCIL ITEMS

8) FUNDING FOR YOUTH CENTER – SKATE PARK

This item was removed under Approval of Agenda.

9) AMENDMENT TO GENERAL BUDGET ALLOCATION/SKATE PARK

Motion by Mayor Ruelas, seconded by Councilmember Hernández, that \$8,000 from the General Fund Reserve account be allocated to the Recreation and Community Services Department to be used for the purchase of skate park equipment.

Bridgett Harper thanked the City Council for taking time to listen and said that the Youth Council will do whatever they can to help raise money.

Aldo Felix, 10720 Arleta Ave., said that the skate park is a good idea (there aren't local areas for them to skate without them being asked to leave or cited).

Brandon Harper, 12033 Wimberly Ave., Sylmar, said that skating helps keep kids off drugs and will help him achieve his dream of being a pro-skater.

Sergio Garza, 15044 Astoria St., said a skate park is good to have in this community (there aren't others nearby).

Richard, 13150 Judd St., Pacoima, said that skating is a positive way to keep kids off drugs and be proactive.

The above motion carried with the following vote:

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

Motion by Councilmember Veres that before deciding on a permanent location, direct staff to work with the Youth Council to provide input regarding a permanent location.

Councilmember De La Torre said she would second the motion but wants to be inclusive and make sure that local youth participate in the planning process (not just the Youth Council).

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Motion by Councilmember Veres, seconded by Councilmember De La Torre, to include the beginning process for a permanent location, including either researching the Tony Hawk Foundation's grant for skate parks, etc. and to work with local youth (including the Youth Council) and work towards making certain that all the requirements of that grant application are met.

The above motion failed with the following vote:

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

At this time, Mayor Pro Tem Martinez stepped away from the dais.

Motion by Councilmember Veres, seconded by Councilmember De La Torre, to instruct staff to proceed with the Tony Hawk Foundation funding grant process for a permanent skate park in the City. The motion carried with the following vote:

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

10) REVIVING DISASTER COUNCIL

Mayor Pro Tem Martinez returned to the dais.

Discussion ensued regarding which individuals should be members of the Disaster Council (the Municipal Code is not specific and has not been updated since 1957). Suggestions were made to include County and American Red Cross representatives to a committee of seven members (others may be invited to participate from time to time).

Motion by Mayor Ruelas, seconded by Councilmember Hernández, that the Disaster Council be revived with the following seven members:

- 1) Julie Ruelas, Chair
- 2) Dr. Hernandez, Vice-Chair
- 3) Sergeant Jacobs, Coordinator of Emergency Services
- 4) Chief Alba, Police Chief
- 5) A representative from the LA City Fire Department
- 6) American Red Cross Representative
- 7) LAUSD Representative

The motion carried with the following vote:

AYES: Ruelas, Hernández, Martinez, Veres – 4

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NOES: None
ABSTAIN: De La Torre – 1

Motion by Councilmember Veres, seconded by Councilmember Hernández, to direct staff to begin working on updating the ordinance regarding disaster/emergency procedures. The motion carried with the following vote:

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

11) UPDATE ON JOINT USE AGREEMENT – LOS ANGELES UNIFIED SCHOOL DISTRICT HIGH SCHOOL NO. 5

Mayor Ruelas gave an update regarding the proposed joint meeting that was recently held. There was no quorum for the City Council and Recreation & Community Services Commission and therefore was a Special Meeting of the Cultural Arts Commission.

Discussion ensued and Councilmembers agreed that it was good to discuss during a Study Session.

There was no motion.

At this time, Councilmember Dr. Hernández stepped away from the dais.

12) AD HOC COMMITTEES/STANDING COMMITTEES

Councilmember Dr. Hernández returned to the dais.

Mayor Ruelas reported that this item was brought back to the City Council for reconsideration. She reviewed the proposed list and policy and stated that her recommendations as Standing Committees would be: Affordable Housing, New Elementary School, LAUSD High School No. 5, and Public Safety.

In response to Councilmember De La Torre's concern, Atty. Estrada suggested that the record reflect that there *is* still a design committee regarding the Aquatics Center.

Motion by Mayor Ruelas, seconded by Councilmember Hernández, to accept the policies and Ad Hoc Committees recommended as well as designate the above-mentioned committees as "Standing Committees". Also, adding Swap Meet/Commercial and Heritage Park.

Atty. Estrada clarified that although a policy is helpful, the distinction between Standing versus Ad Hoc is made based on the Brown Act.

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Atty. Estrada requested clarification regarding certain committees and then announced that Mission Community Hospital and Labor Relations were Standing Committees. He stated that committee regarding Alcohol Outlets would remain as an Ad Hoc Committee.

The above motion, along with suggested changes by Atty. Estrada, carried with the following vote:

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

GENERAL COUNCIL COMMENTS

Councilmember De La Torre: 1) said that she received a complaint from youth that the the Police Dept. and Explorers did not allow them to skate during the Menudo Festival; 2) reported that she would donate one of her allotted buses to Santa Rosa for a field trip; 3) said that the 5K Run went well but was disappointed that not many youth participated; 4) asked that staff send a thank you note to Assemblymember Lloyd Levine for participating in the 5K; 5) said that Dr. Steven McCarthy (San Fernando Middle School) requested that Brand Blvd. be closed for a play production and will forward the information to PW; 6) reported that LAUSD Board Member Julie Korenstein had questions regarding the architecture of the new high school and suggested that Councilmembers review it also; and 7) suggested that, when scheduling Special Meetings and it is known ahead of time that there will not be a quorum, to be respectful of that.

Councilmember Dr. Hernández: 1) Atty. Estrada (in response to his question) stated that if he wanted to change his vote regarding the funding grant, the item would have to be called up again; and 2) reported that the Menudo Festival was one of the best.

Per Mayor Pro Tem Martinez' request, Chief Alba gave background information regarding the Sale of Surplus Police Vehicles item on the agenda (the vehicles would be going to a small town in Mississippi to help with the recovery Hurricane Katrina).

Mayor Pro Tem Martinez reported that she had a good time at the Menudo Festival, the set up was excellent, yet has a couple of suggestions for next time.

Councilmember Veres: 1) said that the last City Council meetings have been very disappointing (he feels that we're not getting anywhere); 2) provided an update regarding the Pacoima Wash and reported there will be a public meeting in a month or two; and 3) requested that staff add an item on the next agenda regarding televising City Council meetings.

Mayor Ruelas: 1) liked the way the stage was set up at the Menudo Festival (food court style); 2) reported that there will be an LAUSD Governance Commission meeting on November 5, 2005, at San Fernando High School; 3) (in response to her concern regarding trees on Maclay Ave.) Mr. Ruiz reported that there is a tree management plan but the department is behind and attempting to catch up; and 4) reported that she called Animal Control regarding stray animals and they did not respond.

STAFF COMMUNICATION

Mr. Ruiz said that he hopes everyone can attend the community tree planting celebration on October 22, 2005.

He also reported that there have been several meetings with LAUSD regarding the traffic study for the new school and there remain a number of issues that should be presented to City Council and Traffic & Safety Commission.

Mayor Ruelas asked Councilmembers to refrain from addressing the audience and apologizing for the outcome of the votes.

ADJOURNMENT (9:06 PM)

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