

SAN FERNANDO CITY COUNCIL

MINUTES

APRIL 17, 2006 – 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 Nury Martinez called the meeting to order at 6:06 p.m.

The following persons were recorded as present:

PRESENT:

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

City Treasurer: Margarita Solis

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

PLEDGE OF ALLEGIANCE

Norma Ramirez led the pledge.

INVOCATION

Mayor Martinez called for a moment of silence in the memory of her co-worker, Kathy Carruth.

PRESENTATIONS

A) RECOGNITION OF ARBOR DAY VENDORS

Mayor Martinez and Public Works Director Ron Ruiz presented certificates to the vendors and thanked them for their support and contributions to the event.

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B) CESAR E. CHÁVEZ AWARD PRESENTATION

Mayor Martinez presented the plaque to Norma Ramirez.

C) CESAR E. CHÁVEZ ART AND ESSAY CONTEST WINNERS

Mayor Martinez, along with Cultural Arts Supervisor Virginia Diediker and Cesar Chávez Commemorative Committee Chair Maria Calleros, presented certificates to local school children.

APPROVAL OF AGENDA

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Ray Groff, 327 No. Alexander St., said that he has never known anyone that does not like Hispanics and most are wonderful people.

Alfonso Garcia, 1733 Eighth St., reported issues regarding his neighbors including drinking and urinating in public view, their pit bull dog chased his mother, 14 people living in one house and their vehicles (nine) continually block driveways and take up all public parking.

Mayor Martinez asked Community Development Director Paul Deibel and Police Chief Anthony Alba to work with Mr. Garcia and provide an update to City Council regarding the progress.

DeVonna Richardson, 1985 Glenoaks Blvd., talked about the noise level made by cars and the monitor at the McDonald's drive through (their units are situated directly behind the restaurant). They are looking for assistance from the City and she submitted a petition to the City Clerk that was signed by several residents.

Mayor Martinez asked that Mr. Deibel work with Ms. Richardson and update the City Council.

Steven Gallegos reported that Farmers Market has opened and there were approximately 400 people in attendance. They look forward to making San Fernando's Farmers Market successful and he thanked those that attended and invited everyone else to stop by.

Erica Arroyo, 11264 Bartee Ave., Mission Hills, spoke about Item No. 10 and said that Councilmembers Veres and De La Torre have a conflict of interest and should recuse themselves from voting on this item due to economic interests.

Richard Arroyo, 11264 Bartee Ave., Mission Hills, also talked about Item No. 10 and said that anyone that has a potential financial gain should recuse themselves from the discussion.

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Xavier Flores, 38640 15th St. East, Palmdale, reported that over the years, the Cesar Chávez Commemorative Committee, although concerned about freedom of speech rights during the march, have asked candidates not to expose their placards and to focus on what the event is really about.

Maria Calleros, 12514 Bromwich St., Pacoima, Cesar Chávez Commemorative Committee Chair, said she wanted to make a correction to Councilmember Veres' letter to The Sun newspaper and reported that there was not an agreement between the Committee and campaigns regarding signs.

CONSENT CALENDAR

Mayor Pro Tem Ruelas pulled Item Nos. 3 and 7 for further discussion.

Motion by Councilmember Hernandez, seconded by Mayor Martinez, to approve the remaining Consent Calendar Items. The motion carried unanimously.

- 1) APPROVAL OF MINUTES OF APRIL 4, 2006
- 2) APPROVAL OF WARRANT REGISTER NO. 06-042
- 4) MARIACHI MASTER APPRENTICE PROGRAM – CHANGE IN SCOPE TO COMMUNITY BASED PROGRAM
- 5) INVESTMENT POLICY
- 6) BUDGET AMENDMENT AND RESOLUTION
- 8) OFFICE OF EMERGENCY SERVICES (OES) RESOLUTION

Items Pulled for Further Discussion:

- 3) GENERATOR BID AWARD

Mayor Pro Tem Ruelas said that the report stated that one of the bidders was non-responsive and asked for an explanation.

Mr. Ruiz reported that the bid did not provide a cost for a generator with the specifications that we were looking for (wrong type of generator).

Motion by Mayor Pro Tem Ruelas, seconded by Mayor Martinez, to award the purchase of a mobile generator to the lowest qualified bidder, Royal Wholesale Electric. The motion carried unanimously.

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7) CITY COUNCIL LIAISON ASSIGNMENTS

Mayor Pro Tem Ruelas said that she would like more information regarding the Chamber of Commerce meetings and said that she may not be able to regularly attend.

Director of Recreation & Community Services Dan LaBrado stated he would verify the dates and times and would attend on behalf of the City Council liaison and report back

In response to Mayor Pro Tem Ruelas' question regarding ICLFA, Finance Director Lorena Quijano said that specific meetings are not done on a routine basis, if anything they are quarterly (via email), and she will follow up.

Mayor Martinez said that as a point of clarification, she would place herself as the MTA San Fernando Valley/Northern County Corridor representative.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to approve the City Council Liaison Assignments 2006-2007. The motion carried unanimously.

PUBLIC HEARING

9) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

Mayor Martinez declared the Public Hearing open.

Chief Anthony Alba presented the staff report.

Mayor Martinez called for public testimony, either in favor or opposed.

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

Motion by Councilmember Hernández, seconded by Mayor Martinez, to direct staff to continue the application process in order to secure \$11,037 in grant funds for the purposes stated. The motion carried unanimously.

NEW BUSINESS

10) MEMORANDUM FROM COUNCILMEMBER VERES DATED APRIL 3, 2006, CAPTIONED: "IMPROPER USE OF A CITY SPONSORED EVENT AND ILLEGAL USE OF CITY GROUNDS FOR POLITICAL CAMPAIGNS"

City Atty. Estrada said that generally elected officials or commissioners are not allowed to participate in decisions that would affect their source of income, but it was also important to look at the definition of income. The Political Reform Act excludes (from the definition of income)

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salary and reimbursement for expenses or per diem etc. received from a state local or federal government agency. He reported that Councilmember Veres' salary for his current position (working with the Assemblymember) does not meet the definition of income and therefore is not subject to that prohibition.

Atty. Estrada explained that nothing specifically could be done regarding the events of April 3, 2006, but in the future, City Council may consider increasing the presence of code enforcement officers.

Councilmember Veres stated that when dealing with sign issues in the past, Councilmembers all agreed that they do not belong on public property. He stated that staff should proceed with collecting evidence and moving forward with the administrative violations.

Mayor Pro Tem Ruelas agreed with the City Attorney regarding the presence of code enforcement officers in the future. She believes that if we're going to begin citing for signs in public places etc., then we need to be consistent and not just deal with it when it becomes a political issue.

Councilmember Hernández said this comes up every election and he is not aware of any candidates that have their volunteers place campaign signs on private property (without asking owners for permission) or encourage their volunteers to place them on the public right-of-way.

Councilmember De La Torre said that when campaigning, she makes sure that her volunteers are educated. She said that having code enforcement officers present becomes the tax payer's burden and if done, then the Cesar Chávez Committee should cover the costs.

Mayor Martinez reminded Councilmembers that in 2004/2005, discussions regarding lawn signs were brought up at several meetings and every time, someone had an issue with the fact that it was going to become too complicated for the candidates to regulate and control. She asked that we keep the City clear from all the debate going on because ultimately the City will need to be represented in Sacramento and need to have an open dialogue with whoever gets elected. Residents need to voice their opinion and choice at the polls and that's where we need to leave it.

Councilmember Veres is suggesting that staff move forward with an investigation of the violation of municipal code and all candidates should follow the law.

Councilmember De La Torre said that if we do not enforce the municipal code, then she wants to be guaranteed that when she runs again for office, it is not enforced on her.

Atty. Estrada said that he would strongly request and recommend that the City Council not direct either him, or code enforcement staff, to do anything regarding April 3, 2006.

Mayor Martinez asked if the City Attorney would prepare a letter to the candidates making them aware of our municipal code and asking them to obey our laws.

Atty. Estrada responded that he would prepare and send to all candidates running for office.

CITY COUNCIL ITEMS

11) PRESCHOOL FOR ALL RESOLUTION

Mayor Pro Tem Ruelas asked for support from her colleagues regarding the Preschool for All Initiative. She reported that through these funds, 400,000 children in California can receive preschool education and research shows that children that receive quality preschool experience do better in school, graduate and a high percentage stay away from crime.

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Veres, that the City Council approve/support the Preschool for All Resolution. The motion carried with the following vote:

AYES: Ruelas, Veres, Hernández, Martínez – 4

ABSTAIN: De La Torre – 1

GENERAL COUNCIL COMMENTS

Councilmember Veres said there is integrity that we all strive in upholding our duties and responsibilities and one common agreement regarding lawn signs has been that they should not be placed on public space.

Mayor Pro Tem Ruelas: 1) invited everyone to the opening of the next exhibit at the museum on Saturday; and 2) encouraged everyone to attend the mariachi concert at the high school on Sunday.

Councilmember Hernández reported that Mission Community Hospital is being tagged everyday and taggers are harassing some of the businesses in town.

Chief Alba said that he will work with the security guard at the hospital to help identify the taggers.

Councilmember De La Torre: 1) reported that she attended the Farmers Market and thanked Helen Collins for her work; and 2) explained that her reason behind abstaining on Item No. 11 is because she is a firm believer of family values and said the best education is what children receive at home and not push them too young to go to school.

Mayor Martinez: 1) said she's looking forward to the Disaster Preparedness Expo on Saturday; 2) reported that MTA Northern Sector members met today and voted for Ara Najarian (Glendale Councilmember) to represent the 12 cities; 3) attended a press conference in support of Proposition 82 and personally endorsed the proposition; 4) attended the Farmers Market and we need to continue to promote it; 5) thanked staff for the great job they did for Arbor Day; 6) said she attended the Police Explorer disaster preparation exercise and said they are doing an awesome job; 7) reported that the next Healthy Cities meeting is on Thursday at Las Palmas Park; 8) invited those that have passion about Cesar Chavez and his legacy to become part of the Commemorative Committee (she thanked the members Maria Calleros and Virginia Deidiker);

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and 9) has been in contact with L.A. City Mayor Antonio Villaraigosa regarding his plan for Los Angeles Unified School District and said that it is something for this Council to begin discussing as well.

STAFF COMMUNICATION

Mr. Ruiz: 1) said that graffiti is an on-going battle and staff has made a commitment to address it in a more proactive and comprehensive way; 2) reminded everyone of the Transportation & Safety Commission meeting on Wednesday regarding the Trolley; and 3) reported there was a joint study session of the Alley Ad Hoc Committee and Transportation and Safety Commission held on April 13.

Mr. LaBrado: 1) reported that the Skate Park will reopen on Saturday; 2) said the Healthy Cities Committee will be meeting at Las Palmas Park on Thursday; 3) thanked Councilmembers for their support on Item No. 4 but thanks to the efforts of the Civic Association and Hector Martinez, they may meet their goal without having to use CBO funding; and 4) reported that the Chamber of Commerce meets the first Thursday of the month at 9:00 a.m. at Providence Holy Cross Medical Center.

Personnel Manager Michael Okafor reported that the Take Our Kids to Work event will be on Thursday, April 27, with approximately 40 children signed up to attend.

Chief Alba gave an update regarding the upcoming Disaster Preparedness Expo event on Saturday.

Mr. Pulido emphasized that the quality of life issues brought up earlier are taken seriously and staff will be following up.

RECESS TO CLOSED SESSION (8:09 PM)

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Ruelas, to recess to Closed Session, thereafter to adjourn the City Council meeting in memory of Kathy Carruth. The motion carried unanimously.

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

City Council completed the evaluation of the City Administrator.