

SAN FERNANDO CITY COUNCIL

MINUTES

AUGUST 21, 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 6:05 p.m.

The following persons were recorded as present:

PRESENT:

Council: Mayor Nury Martinez, Mayor Pro Tem Julie Ruelas, Councilmembers Steven Veres (arrived at 6:18 p.m.), Maribel De La Torre (arrived at 6:07 p.m.), and Dr. José Hernández

City Treasurer: Margarita Solis

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

PLEDGE OF ALLEGIANCE

Mayor Martinez led the pledge.

INVOCATION

Mayor Martinez called for a moment of silence.

PRESENTATIONS

A) INTRODUCTION OF ANIMAL CONTROL OFFICER RUBEN GARCIA

Community Development Director Paul Deibel introduced Mr. Garcia and he was welcomed by City Councilmembers.

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APPROVAL OF AGENDA

Motion by Mayor Pro Tem Ruelas, seconded by Mayor Martinez, to approve the agenda. The motion carried with the following vote:

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Joe Ruelas, 1161 Harding Ave., said that the City Administrator has dragged his feet on the pool project, suggested that the City Council hold staff to task, and encouraged them to pull back on some projects because the kids and parents really want the long-awaited pool.

Alex Montañez, 1210 Massachusetts Ave., WA, D.C., Executive Director of Operation 2012, Deputy Campaign Manager for Bryon De Lear, suggested that Councilmembers support Mr. De Lear in his efforts to unseat Congressman Howard Berman in November.

Esperanza Ruvalcaba, 722 Kewen St., presented Councilmembers with a poster on behalf of the San Fernando Education Technology Team and thanked them for support of SFETT's seventh annual Festival de Cine event.

Eugene Hernández, 13406 Eldridge Ave., talked about The Plan for Victory Rally Series event to impeach President Bush and asked that City Councilmembers support candidate Byron De Lear for Congress.

Anthony St. Martin, 7228 Woodrow Wilson Dr., L.A., also talked about The Plan for Victory Rally Series event.

Councilmember Veres arrived at this time.

Patty Lopez, 432 N. Brand Blvd., thanked the City Council for voting in favor of AB1381 and expressed her disappointment regarding the unfinished pool.

David Coscia, 4275 Canyon Crest Road, Altadena, asked for support regarding agenda Item No. 5, and said that he hopes to write a book and include those photos.

Carolina Perez, 12301 San Fernando Road, #606, Sylmar, also thanked the City Council for support of AB1381.

Mike Majers, 1640 San Fernando Road, thanked Councilmember Veres for attending the San Fernando DARE Golf Tournament, said there were already four parks in the City and why include another (Heritage Park) when the pools sits empty.

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CONSENT CALENDAR

Mayor Pro Tem Ruelas pulled Item No. 2, Councilmember Hernández removed Item No. 7, and Mayor Martinez removed Item No. 9 (also Item No. 2) for further discussion.

Motion by Councilmember Veres, seconded by Mayor Martinez, to approve the remaining Consent Calendar Items:

- 1) APPROVAL OF MINUTES OF:
 - A) JULY 17, 2006 – REGULAR MEETING
 - B) AUGUST 7, 2006 – REGULAR MEETING

- 3) ORDINANCE AMENDING THE REDEVELOPMENT PLANS FOR REDEVELOPMENT PROJECT AREAS NOS. 1, 2 AND 3 TO ELIMINATE THE TIME LIMIT ON THE ESTABLISHMENT OF LOANS, ADVANCES AND INDEBTEDNESS

- 4) ORDINANCE ADOPTING REVISIONS TO THE FEE AND CHARGE STRUCTURES FOR COMMUNITY DEVELOPMENT, FINANCE, POLICE DEPARTMENT, AND PUBLIC WORKS

- 5) HISTORICAL MATERIALS LOAN AGREEMENT WITH DAVID COSCIA TO REVIEW AND USE REPRODUCTIONS OF HISTORIC PHOTOS/IMAGES HOUSED AT THE CITY-OWNED LOPEZ ADOBE LOCATED AT 1100 PICO STREET

- 6) NOTICE OF COMPLETION AND PROJECT ACCEPTANCE – LIBRARY STREET AND ALLEY IMPROVEMENTS – PROJECT NO. 7530, PLAN NO. 697

- 8) PERMIT REQUEST FOR ANNUAL FIESTA – SANTA ROSA CATHOLIC CHURCH

- 10) BUDGET APPROPRIATION FOR SAN FERNANDO MALL PARKING AND BUSINESS IMPROVEMENT AREA

The motion carried unanimously.

Items Pulled for Further Discussion:

- 2) APPROVAL OF WARRANT REGISTER NO. 06-082

Mayor Pro Tem Ruelas reported that she spoke with Finance Director Lorena Quijano earlier regarding the Verizon wireless bill. She had noticed that two amounts were high and wants to make sure that Councilmembers pay if they exceed their budgeted amount.

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In response, Ms. Quijano stated that these are reviewed on a month-to-month basis and if a Councilmember goes over at six months, then beginning the seventh month, the individual Councilmember is billed for the excess.

In response to Councilmember Hernández' question, Ms. Quijano stated that she is working on his request for information regarding Councilmembers' cell phone usage for three years (2004-2006).

Mayor Pro Tem Ruelas requested that Page 3 be corrected to state that the plaque ordered was for the departed Recreation & Community Services Director and not the Community Development Director.

In response to Councilmember Hernández' question, Ms. Quijano stated that The Sun newspaper requires a week's notice in order to have items published, whereas staff may use the Daily News to publish last-minute items that do not meet The Sun's deadline.

Motion by Mayor Pro Tem Ruelas, seconded by Mayor Martinez, to approve Warrant Register No. 06-082 and Voucher No. 75083 dated August 7, 2006, in the amount of \$30,000 payable to Law Enforcement Crisis Management, along with the correction made on Page 3 regarding the recognition plaque. The motion carried unanimously.

7) **RESOLUTION FIXING A PROPERTY TAX RATE AND LEVYING TAXES FOR THE CITY'S OBLIGATION TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) FOR FISCAL YEAR (FY) 2006-2007**

In response to Councilmember Hernández' question, Ms. Quijano stated that there was no increase in the annual assessment rate for PERS from last year.

Motion by Councilmember Hernández, seconded by Mayor Martinez, to adopt a Resolution which will establish the amount necessary to be raised by taxation for the City's annual payment to the California Public Employees' Retirement System (PERS) which is estimated at \$2,810,022 for FY 2006-2007 and fix the property tax rate for FY 2006-2007 at \$0.28420 per \$100 of assessed valuation and levies that tax rate upon all taxable property in the City. The motion carried unanimously.

9) **AWARD OF AUDIT CONTRACT**

Mayor Martinez inquired why this was late and not in place before the new fiscal year. Ms. Quijano responded that the previous auditors used to do the audit during the month of September and the current (proposed) auditors have agreed to complete the audit before the December 31st deadline.

Mayor Martinez stated that she was uncomfortable with the way this was handled in that she had not had the opportunity to review the last-minute changes and that the City Treasurer had not seen the changes either (they were not part of the staff report).

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In response to Councilmember Hernández' question, Ms. Quijano stated that she believed the municipal code states that audit contracts are usually for a three-year period, the previous auditors were here since 1993, and the contract was already in place when she came on board.

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

In response to questions from Mayor Pro Tem Ruelas, Atty. Estrada reported that given the nature of the contract, the changes made at the request of the consultant were not detrimental.

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Ruelas, to approve this agenda item. The motion carried with the following vote:

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

PUBLIC HEARING

- 11) RESOLUTION CERTIFYING THAT THE CITY OF SAN FERNANDO IS IN COMPLIANCE WITH THE REGIONAL CONGESTION MANAGEMENT PROGRAM

Mayor Martinez declared the Public Hearing open.

Community Development Director Paul Deibel presented the staff report.

Mayor Martinez called for public testimony, either in favor or opposed. There being no comments, she closed the public portion of the Hearing.

Motion by Mayor Martinez, seconded by Councilmember Hernández, to adopt a Resolution certifying that the City of San Fernando is in conformance with the 2004 Congestion Management Program (CMP) for Los Angeles County, and approving the City's 2006 CMP Local Development Report. The motion carried unanimously.

GENERAL COUNCIL COMMENTS

Councilmember De La Torre: 1) asked for an update regarding televising of City Council meetings (Mr. Pulido will provide an update via the Status Report); and 2) said she spoke with a reporter earlier regarding the pool project and asked if staff could follow up with a call to the Supervisor's office.

Mayor Pro Tem Ruelas: 1) requested that her colleagues submit names for the Resolution regarding standby officers because it would be finalized at the next meeting; 2) inquired whether the 'Thank You' letter had been written to the County Librarian; 3) asked when staff would be reporting back regarding the Day Care Facility Fees and the Youth Programs (both items

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agendized at the last meeting); and 4) requested that the meeting adjourn in memory of Viola Lott.

Councilmember Veres: 1) reported that the Police Officers' Association event was well attended and successful; 2) asked his colleagues to provide feedback regarding the Pacoima Wash rendering; and 3) mentioned the ground breaking event for Heritage Park and reported that Heritage Park is entirely funded by grant sources.

Mayor Martinez: 1) thanked staff for putting together the Townhall meeting event at the Middle School; 2) thanked the parents that took time to attend and express their feelings; 3) talked about a letter she received regarding our building official generating a progress report on the City's mitigation program (Mr. Pulido will follow up); and 4) expressed concern regarding the correspondence from Sigue Corp. that they will be laying off 106 employees and asked to schedule a meeting with CEO Bill De la Vina.

STAFF COMMUNICATION

Mr. Pulido said that staff is working on resolving the pool project (in daily communications with the County) and expects nothing less of himself than to turn the project to completion as soon as possible. Reported that two or three years ago people were saying that the City is broke and stands proudly to say that we have \$2.8 million in bank.

Public Works Director Ron Ruiz reported that a tentative date for Heritage Park groundbreaking ceremony is September 16 and announcements will go out soon.

Public Works Management Analyst Helen Collins invited everyone to the City's 95th Birthday Celebration at 6:00 p.m. on Sunday at Cesar E. Chávez Park.

Ms. Quijano thanked City Treasurer Margarita Solis for her assistance in putting together the audit proposal and requests and apologized for the last-minute items.

Atty. Estrada reported that at the last City Council meeting it was requested that he follow up regarding a Child Predator Ordinance. He did some research and suggested it might be best to wait until November because Proposition 83 may have a significant impact.

RECESS TO CLOSED SESSION (6:58 PM)

Motion by Mayor Martinez, seconded by Mayor Pro Tem Ruelas, to recess to the following Closed Session, thereafter to adjourn in memory of Viola Lott. The motion carried unanimously.

CONFERENCE WITH LABOR NEGOTIATORS (G.C. 54957.6)

City Representative: City Administrator José E. Pulido

Unrepresented Employees: Management Group

No reportable action.