

SAN FERNANDO CITY COUNCIL

MINUTES

DECEMBER 4, 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 Pro Tem Ruelas called the meeting to order at 6:15 p.m.

The following persons were recorded as present:

PRESENT:

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

City Treasurer: Margarita Solis

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

ABSENT: Mayor Nury Martinez and Councilmember Steven Veres

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Ruelas led the pledge.

INVOCATION

Mayor Pro Tem Ruelas thanked City employees, commissioners and committee members for their hard work throughout the year and she dedicated the meeting to those who lost their lives this past year.

PRESENTATIONS

B) OATH OF OFFICE TO NEW POLICE OFFICERS:
WALTER DOMINGUEZ, ROBERT GALLEGOS, AND NICOLAS SALAZAR

SAN FERNANDO CITY COUNCIL

MINUTES – December 4, 2006

Page 2

The officers were introduced by Police Chief Alba, were given the Oath by City Clerk Chávez, and were welcomed aboard by City Councilmembers.

A) **SMALL BUSINESS AWARD – DECEMBER
LA TALPENSE RESTAURANT – FRANCISCO AND GUADALUPE ARRIZON**

Mayor Pro Tem Ruelas presented the Small Business Award to Mr. and Mrs. Arrizon and she thanked them for the great food and service they provide.

APPROVAL OF AGENDA

City Atty. Estrada requested that the Closed Session take place before Item No. 10.

Motion by Councilmember Hernandez, seconded by Mayor Pro Tem Ruelas, to approve the agenda with the change made by the City Attorney. The motion carried with the following vote:

AYES: Hernández, Ruelas, De La Torre – 3
NOES: None
ABSENT: Martínez, Veres - 2

PUBLIC STATEMENTS – WRITTEN/ORAL

The following parents talked about their concerns regarding a situation that has been going on for several months at Morningside Elementary. A resident that lives near the school that they believe may be mentally ill, has been harassing, insulting, and intimidating the parents and children on a daily basis. The parents requested immediate assistance from the City Council and Police Department.

Selma Madrueño, 751 N. Maclay Ave.
Rigoberto Ramos, 1133 Lucas St.
Patty Lopez, 432 N. Brand Blvd.
Josefina Magaña, 533 Harding Ave.
Patricia Ochoa, 515 N. Hagar St.
Nadia Martinez, 320 Harding Ave., #4

Tom Ross, 218 Brand Blvd., representing the Downtown Mall Association, reported that they recently met with the developer of the Plaza del Sol project and he said that things have been going well.

CONSENT CALENDAR

Mayor Pro Tem Ruelas removed Item Nos. 1-5 for further discussion.

SAN FERNANDO CITY COUNCIL

MINUTES – December 4, 2006

Page 3

Motion by Councilmember Hernandez, seconded by Councilmember De La Torre, to approve Consent Calendar Item Nos. 6 and 7.

- 6) ACCEPTANCE OF OFFICE OF JUSTICE BULLETPROOF VEST PARTNERSHIP (BVP) GRANT FOR FISCAL YEAR 2006
- 7) ACCEPTANCE OF OFFICE OF TRAFFIC SAFETY DUI GRANT AL0712

The motion carried with the following vote:

AYES: Hernández, De La Torre, Ruelas – 3
NOES: None
ABSENT: Martínez, Veres - 2

Items Pulled for Further Discussion:

- 1) APPROVAL OF WARRANT REGISTER NO. 06-121

In response to Mayor Pro Tem Ruelas' question, Finance Director Lorena Quijano reported that the City has a contract with the Downtown Mall Association and they request a monthly (or quarterly) reimbursement for expenses that they incur in order to manage the Mall Association.

Public Works Director Ron Ruiz will follow up regarding Mayor Pro Tem Ruelas' question concerning US flags for our parks and the Community Room at City Hall.

- 2) BID RESULTS AND NORTH MACLAY AVENUE PEDESTRIAN STREETSCAPE CONTRACT AWARD - FEDERAL PROJECT NO. 07-LA-0-SFR/RPSTP-5202 (011)

In response to Mayor Pro Tem Ruelas' question, Mr. Ruiz reported that the overall long-term goal is to create definition at the entryways of the City and we are looking to receive grant funds to continue that process.

- 3) CONFLICT OF INTEREST CODE UPDATE

In response to Mayor Pro Tem Ruelas' question, City Clerk Chávez reported that the City Treasurer is required, by law, to submit a Statement of Economic Interests.

- 4) BUSINESS LICENSE PERMIT RENEWALS FOR CALENDAR YEAR 2007

Mayor Pro Tem Ruelas expressed concern regarding the content of the amusement machines and Senior Planner Fred Ramirez reported that there is nothing explicit in the code that restricts the content of the machines. City Atty. Estrada added that it is something staff could investigate but he thinks it may be problematic (violation of first amendment rights).

SAN FERNANDO CITY COUNCIL

MINUTES – December 4, 2006

Page 4

5) **REQUEST FOR TIME EXTENSION FOR DEVELOPMENT OF LOW AND MODERATE-INCOME HOUSING ON AN AGENCY-OWNED PARCEL AT 551 SOUTH KALISHER STREET**

In response to Councilmember Dr. Hernández' question, Mr. Pulido reported that staff is requesting an extension in order to comply with redevelopment law for housing and it is our intent to develop before 2010 (will ultimately get direction from the City Council on how to proceed).

Motion by Mayor Pro Tem Ruelas, seconded by Councilmember Hernández, to approve staff's recommendation on Consent Calendar Item Nos. 1-5. The motion carried with the following vote:

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

NEW BUSINESS

8) **BUDGET APPROPRIATION FOR CITY YARD MOVE**

Public Works Director Ron Ruiz presented the staff report.

He reported that funds would be used to jump start the whole process of the move (purchase of containers for transport, temporary relocation of personnel).

In response to Councilmember Hernández' concern regarding where is the City Yard going to move to in February, Mr. Pulido responded that staff will report back to the Swap Meet/Commercial Standing Committee on this issue (in a couple of weeks).

Councilmember Hernández stated that if we are going to vacate this property to accommodate the new owners of the Swap Meet, he wants to make certain that we get our price for the property.

In response to other questions from Councilmember Hernández, Mr. Pulido reported that things are moving quite well, we are under negotiations and trying to meet all the deadlines, we are exploring the option of having Robertson Properties Group purchase the City Yard (which they don't have to do at this time - they are entitled to lease) but would like to have this done by the end of the month in terms of negotiations for the acquisition.

Councilmember Hernández stated that again, for the record, he doesn't want there to be any misunderstanding when we're dealing with that valuable City property.

SAN FERNANDO CITY COUNCIL

MINUTES – December 4, 2006

Page 5

Mr. Ruiz said that he would like to request a Study Session so that staff could go into more detail, explain options and get feedback from the City Council.

Motion by Councilmember Hernández, seconded by Councilmember De La Torre, to adopt a Resolution approving a budget appropriation of \$100,000 from the Sewer Fund for the City Yard Move, Phase I Costs. The motion carried with the following vote:

AYES: Hernández, De La Torre, Ruelas – 3

NOES: None

ABSENT: Martinez, Veres - 2

9) PLAZA DEL SOL MIXED-USE DEVELOPMENT PROJECT PLANNING PROCESS

Senior Planner Fred Ramirez presented the staff report and in response to questions, reported that the developer has met with the Downtown Association and the next tentative date for a public workshop is December 24. He stated that staff will be proceeding as outlined in the report (no motion).

CLOSED SESSION

At this time, City Councilmembers recessed into the following Closed Session.

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation

G.C. 54956.9b(3)(A)

The City Attorney was directed to take no further action regarding the allegations involving Children, Youth and Families Advisory Committee Member Cabrera without direction from the City Council.

Councilmember De La Torre read for the record that she stands by her concern pertaining to the perceived allegations on this individual and continues to have questions regarding his credentials and it is her belief that he should be removed from the CYF Advisory Committee.

Mayor Pro Tem Ruelas said she has proof of Mr. Cabrera's college degree and a letter verifying his participation in the Synod. Committee members are volunteers and she feels the City Council has more pressing issues to address.

CITY COUNCIL ITEMS

10) CHILDREN, YOUTH AND FAMILIES ADVISORY COMMITTEE MEMBER
HECTOR CABRERA

GENERAL COUNCIL COMMENTS

Councilmember De La Torre: 1) asked if a meeting could be scheduled with the City of Los Angeles with respect to the growing problems on Hubbard St. (near Food 4 Less); 2) understands the frustration of the parents regarding the problem at Morningside Elementary School and suggested that the Police Dept. have a better communication with them; 3) asked how much money was saved on the bond loan with respect to the discount point; and 4) requested that the meeting adjourn in memory of Paul Deibel's nephew who recently passed away.

Councilmember Hernández: 1) asked that the meeting adjourn in memory of long-time San Fernando resident, friend and community activist Marshall Diaz; 2) in response to his question regarding L.A. Fire Dept. charging residents fees for ambulance services, Mr. Pulido will follow up with the Finance Director; 3) mentioned the Employee Dinner (employees are deserving and there was good food); and 4) wished everyone a Merry Christmas and healthy New Year.

Mayor Pro Tem Ruelas: 1) in response to her question, Mr. Pulido reported that staff will provide updates regarding the Gangi Development via status report; 2) regarding the Morningside Elementary School issue, Chief Alba reported that all will be taken into consideration to alleviate the concerns of the parents, children and school; and 3) wished everyone a joyous and happy holiday season and a prosperous New Year.

STAFF COMMUNICATION

Mr. Ruiz reminded everyone of the upcoming holiday parade and thanked staff, Councilmembers and Commissioners that have been involved in the planning.

ADJOURNMENT (8:26 PM)

Motion by Councilmember Hernández, seconded by Councilmember De La Torre, to adjourn. The motion carried with the following vote:

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