

**SAN FERNANDO CITY COUNCIL**

**MINUTES**

**MARCH 6, 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 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 (arrived at 6:11 p.m.)

City Treasurer: Margarita Solis

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

**PLEDGE OF ALLEGIANCE**

Councilmember De La Torre led the pledge.

**INVOCATION**

Mayor Ruelas gave the invocation.

**PRESENTATIONS**

A) DENTAL ASSISTANTS RECOGNITION WEEK – MARCH 5-11, 2006

Mayor Pro Tem Martinez presented the certificate to Kristy Borquez who accepted it on behalf of the San Fernando Valley Dental Assistants Society, the California Dental Assistants Association and American Dental Assistants Association.

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**B) INTRODUCTION OF NEW POLICE RESERVE OFFICERS MICHAEL YAMANE AND WILLIAM CARRAM**

Chief Alba introduced Police Reserve Officers Michael Yamane and William Carram and they were welcomed by City Councilmembers.

**APPROVAL OF AGENDA**

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

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Elvira Orozco, 417 Newton St., spoke in favor of agenda Item No. 8 (Lopez-Villegas House) and Item No. 12 (Youth Center at new pool facility at Cesar E. Chávez Park).

Ray Groff, 327 No. Alexander St., spoke in favor of Item No. 8. He said that about a month ago, an out-of-control car crashed at the parking lot located at 1218 Fourth St.

John Arroyo, 719 ½ N. Maclay Ave., believes that the alleys on Maclay Ave. do not receive any patrol. He invited Councilmembers to the Blessing of the Fruits and Flowers event on March 12, 2006.

Ed Banuelos, San Fernando Chamber of Commerce and Countrywide, 1245 San Fernando Rd., said he's excited about Farmers Market, provided information regarding the Miss San Fernando Pageant and said they would like to work in partnership regarding home-buyer event seminars.

Steven Gallegos, San Fernando Chamber of Commerce Board Member, gave information regarding Farmers Market and said it will be a partnership with the business community, city government, and non-profits and it will include several components (including education).

Carol Gallegos, San Fernando Chamber of Commerce, talked about the Farmers Market and said that it will include a petting zoo, pony rides, train ride, and face-painting which will encourage families to attend.

Rosa Furumoto, 12727 Gladstone Ave., Sylmar, spoke in support of Item No. 10 and stated that this particular March for Peace is to call attention to the Latino voice of opposition to the war in Iraq.

Jane Noltemeyer, 1808 Fourth St., said that we will not find a better Police Department in the United States than ours and asked to give thought in honoring our PD.

Mercedes Galan, 1335 Griffith St. spoke in favor of the preservation of the Lopez-Villegas House.

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Patty Lopez, 432 No. Brand Blvd., spoke in favor of Items Nos. 8 (Lopez-Villegas House) and 12 (Youth Center at new pool facility).

Erica Arroyo, 11264 Bartee Ave., spoke in favor of Item No. 8 and provided history regarding the Lopez-Villegas House.

Beverly DiTomaso, 718 N. Meyer St., Friends of the Lopez Adobe President, asked if she could address her comments during the discussion of that item and Mayor Ruelas replied that she could.

Margarita Montañez, 608 Hollister St., said that moving another house to the Lopez-Adobe site would take away its current beauty and said that it is not right to do so without community input.

Richard Arroyo, 11264 Bartee Ave., Historical Commissioner, talked about the Lopez Adobe Preservation Plan.

Veronica Camacho, 638 Mott St., spoke in favor of the Lopez-Villegas House and having a Youth Center at the new aquatic facility.

**CONSENT CALENDAR**

Mayor Ruelas pulled Item No. 2 for further discussion.

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

- 1) APPROVAL OF MINUTES OF:
  - A) JANUARY 25, 2006 – SPECIAL MEETING
  - B) FEBRUARY 21, 2006 – REGULAR MEETING
- 3) PURCHASE/RETIREMENT OF POLICE CANINE BY FORMER HANDLER
- 4) 13<sup>TH</sup> ANNUAL CESAR CHAVEZ DAY CELEBRATION REQUEST FOR FEE WAIVER

**Items Pulled for Further Discussion:**

- 2) APPROVAL OF WARRANT REGISTER NO. 06-031

In response to Mayor Ruelas' question, Public Works Director Ron Ruiz responded that the payment of \$23,505 to DMR is for general engineering services.

Motion by Mayor Ruelas, seconded by Mayor Pro Tem Martinez, to approve the Warrant Register. The motion carried unanimously.

**PUBLIC HEARING**

- 5) TENTATIVE PARCEL MAP 2006-01: PROPOSED RESIDENTIAL TWO-LOT SUBDIVISION AT 1230 EIGHTH STREET

Mayor Ruelas opened the Public Hearing.

In response to Mayor Pro Tem Martinez' concern (she lives within 500 feet of the project site), Atty. Estrada confirmed that she would have to step down.

*At this time, Mayor Pro Tem Martinez exited the Council Chamber.*

Senior Planner Fred Ramirez presented the staff report.

Mayor Ruelas called for public testimony either in favor or in opposition of the project.

There being no comments, Mayor Ruelas closed the Public Hearing.

Motion by Councilmember Hernández, seconded by Councilmember Veres to adopt a Resolution approving a tentative parcel map for the subdivision of one existing lot into two new lots in the R-1 (Single Family Residential) Zone, subject to the recommended conditions of approval. The motion carried with the following vote:

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

**NEW BUSINESS**

- 6) REQUEST TO SUPPORT PETITION FOR REVIEW – METROPOLITAN WATER DISTRICT (MWD) V. CAMPUS CRUSADE

*Mayor Pro Tem Martinez returned to the Council Chamber.*

Atty. Estrada presented the staff report and responded to questions regarding this item and eminent domain. He reported that his firm and the California Redevelopment Association are closely monitoring this.

Mayor Pro Tem Martinez suggested forming a committee and playing a stronger role regarding eminent domain.

Motion by Mayor Ruelas, seconded by Mayor Pro Tem Martinez, to support MWD's petition to the California Supreme Court to review Metropolitan Water District v. Campus Crusade for Christ. The motion carried with the following vote:

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

At this time, a motion was made by Councilmember Hernández to move up Item No. 10. on the agenda. The motion was seconded by Mayor Pro Tem Martinez and carried unanimously.

10) SUPPORT FOR THE MARCH FOR PEACE

Motion by Councilmember Veres, seconded by Councilmember Hernández, to support the March for Peace by facilitating the process and accommodating them, and to present them with a proclamation at the March 20, 2006, City Council meeting. The motion carried unanimously.

*At this time (7:20 p.m.), Councilmember Veres excused himself and stated that he would be returning.*

7) RESOLUTION AUTHORIZING THE ASSIGNMENT OF CABLE TELEVISION FRANCHISE BY TIME WARNER CABLE INC. TO TWE HOLDING I LLC

Atty. Estrada reported that Time Warner representatives were not able to attend this meeting and requested that this be continued until the March 20, 2006, meeting.

Motion by Councilmember Hernández, seconded by Mayor Ruelas, to continue this item to the next meeting. The motion carried with the following vote:

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

8) RESOLUTION TO APPROPRIATE SUPPLEMENTAL FUNDS TO MOTHBALL AND FENCE THE LOPEZ-VILLEGAS HOUSE AT THE LOPEZ ADOBE SITE

Community Development Director Paul Deibel presented the staff report.

Councilmember De La Torre expressed concerns regarding safety issues, stated that no funds have been allocated, and said that projects are started and left unfinished (there is no money to complete them), then we begin new projects.

Councilmember Hernández said he's been asking questions all along and asked why did staff wait until now to present these figures and inform the City Council regarding the official cost.

In response to Mayor Pro Tem Martinez' question, Mr. Deibel confirmed that the Lopez Adobe Preservation Plan does call for an ancillary building on the site to provide an office for a curator, storage space, possibly a display area and most significantly ADA accessible restrooms associated with public use.

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Beverly Di Tomaso, Friends of the Lopez Adobe, reported that they have been working hard in raising funds (over \$21,000). She believes that the estimates provided are questionable, and that the Lopez-Villegas House is a historical property of the City and in its final state will be a compliment to the Lopez Adobe property and will bring pride and education to the community

Christine Provencio, 605 Hollister St., said that the Lopez Adobe is a lovely museum, asked if the City had an accountability system for the artifacts in the museum, and is concerned about the additional costs. She said that the pool project is not finished and we are beginning a new project.

Ray Groff asked why is the house being mothballed and why not build the permanent foundation.

Rudy Vasquez, 777 N. Workman, is concerned about how the house will look (construction fence around it, etc.) and said that money should be used to restore the pool and recreation center instead.

Elvira Orozco said that the house is City property, feels that the prices given are inflated, City employees are paid to do such work, and the City should consider hiring less expensive labor.

Motion by Mayor Ruelas, seconded by Councilmember Hernández:

- a) That \$4,322 from CBO grant awarded to the Friends of the Lopez Adobe be used for mothballing or other relocation expenses;
- b) Approve the Budget Resolution allocating \$11,403 from current City resources for contract services to mothball and fence the Lopez-Villegas House subsequent to its relocation to the Lopez Adobe site;
- c) Authorize execution of a contract with the firm of Better Construction and Design, Inc. to provide mothballing of the Lopez-Adobe House once it is relocated and placed on a temporary foundation;
- d) Authorize utilization of Public Works Department staff to prepare the Lopez Adobe site to accommodate the placement of the Lopez-Villegas House (utilizing the least amount of over time possible);
- e) Direct staff to coordinate with American Heaving and Moving and Rigging, Inc. to relocate the Lopez-Villegas House onto a temporary foundation at the Lopez Adobe site;
- f) Encourage the Friends of the Lopez Adobe to continue raising funds for the Lopez Adobe; and
- g) That yard space be provided at the Lopez Adobe site for the rose bushes to be re-planted.

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Mayor Pro Tem Martinez is concerned about the Public Works work schedule (wants to make certain that no other projects are interrupted). She would like that the motion include a reimbursement process or agreement between the Friends and the City to try to recuperate some of the costs.

Beverly Di Tomaso, President of the Friends of the Lopez Adobe, said that she is not prepared to agree unless she receives membership approval.

Mr. Ruiz stated that he will report back at the next meeting regarding the work schedule.

Councilmember De La Torre said that this building will have to be modified to meet ADA requirements and is disturbed by comments regarding cheap labor and cutting employees' pay.

The motion was repeated (along with the amendment suggested by Mayor Pro Tem Martinez) by Mayor Ruelas, and was seconded by Councilmember Hernández:

- a) That \$4,322 from CBO grant awarded to the Friends of the Lopez Adobe be used for mothballing or other relocation expenses;
- b) Approve the Budget Resolution allocating \$11,403 from current City resources for contract services to mothball and fence the Lopez-Villegas House subsequent to its relocation to the Lopez Adobe site;
- c) Authorize execution of a contract with the firm of Better Construction and Design, Inc. to provide mothballing of the Lopez-Adobe House once it is relocated and placed on a temporary foundation;
- d) Authorize utilization of Public Works Department staff to prepare the Lopez Adobe site to accommodate the placement of the Lopez-Villegas House (utilizing the least amount of over time possible);
- e) Direct staff to coordinate with American Heaving and Moving and Rigging, Inc. to relocate the Lopez-Villegas House onto a temporary foundation at the Lopez Adobe site;
- f) Encourage the Friends of the Lopez Adobe to continue raising funds (as much as one-half of what is being spent for staff to prepare the site) for the Lopez Adobe; and
- g) That yard space be provided at the Lopez Adobe site for the rose bushes to be re-planted.

The motion carried with the following vote:

AYES: Ruelas, Hernández, Martinez – 3

NOES: De La Torre – 1

ABSENT: Veres - 1

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Councilmember Hernández told the Friends of the Lopez Adobe that he would not be prepared to vote in favor of additional money or requests in the future.

**CITY COUNCIL ITEMS**

- 9) REQUEST TO MOVE MEETING DATE FROM APRIL 3 TO APRIL 4, 2006, TO ALLOW FOR PARTICIPATION IN THE 13<sup>TH</sup> ANNUAL CESAR E. CHÁVEZ MARCH FOR JUSTICE EVENTS

Motion by Councilmember Hernández, seconded by Mayor Pro Tem Martinez, to move the April 3 meeting date to April 4, 2006. The motion carried with the following vote:

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

- 11) REQUEST FROM THE SAN FERNANDO CHAMBER OF COMMERCE FOR A FARMERS MARKET IN THE CITY

Discussion ensued between Councilmembers, Chamber of Commerce representatives and City staff regarding the site, permits required, staff time involved, types and affordability of products to be sold and other associated costs and budget.

Mr. Pulido stated that this item was placed on the agenda for discussion and direction from the City Council. Staff will report back with a full analysis explaining and itemizing all costs.

- 12) PETITION REQUESTING THAT A ROOM AT THE CESAR E. CHÁVEZ PARK POOL FACILITY BE DESIGNATED AS A “YOUTH CENTER”

Mayor Ruelas reported that she received a petition from the parents and wanted to get feedback from Councilmembers regarding this item.

After some discussion, this item was referred to the Recreation and Community Services Commission.

- 13) CONSIDERATION OF REQUEST FROM CHIEF OF POLICE FOR COST OF LIVING INCREASE

*(Refer to Closed Session Item A.)*

**GENERAL COUNCIL COMMENTS**

Councilmember De La Torre: 1) reported that the Governor’s Commission on Underage Drinking, and Assemblywoman Montañez will be hosting an event at San Fernando Middle School and requested that the City be listed as a co-sponsor; 2) said she did not like the way in

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which the Farmers Market item was handled; and 3) inquired about the RWG billing statement and the Cesar Chávez Project, suggesting that this be placed on the next agenda for discussion.

*Councilmember Veres returned to the meeting at 9:40 p.m.*

Mayor Pro Tem Martinez: 1) said that she received a letter from a family regarding removal of a brick wall and height limitations (Community Development will follow up); and 2) talked about the City's role in discussions regarding eminent domain and in response to her question, Atty. Estrada stated that he would come up with suggestions and present them to the City Council.

Councilmember Veres: 1) talked about the upswing in graffiti and Mr. Ruiz reported that staff is in the process of restructuring the graffiti program and will be providing a draft of the new program in the near future; and 2) in response to his question, Chief Alba presented an update regarding Little League opening day events on Sunday.

Mayor Ruelas: 1) requested that the meeting adjourn in memory of Warren Eley (father of City employee Jeff Eley); 2) said that the City Administrator and Dept Heads should work quickly to fulfill our obligations in regards to emergency preparedness; and 3) reminded Councilmembers regarding decorum and order during City Council meetings.

Councilmember De La Torre suggested that we move forward with planning meetings with the Congressman and Supervisor's office regarding funding requests.

**STAFF COMMUNICATION**

None.

**RECESS TO CLOSED SESSION (9:55 PM)**

By consensus, the City Council recessed to the following Closed Session, thereafter to adjourn in memory of Warren Eley.

**A) CONFERENCE WITH LABOR NEGOTIATOR (G.C. 54957.6)**

City Negotiator: Mayor Ruelas  
Unrepresented Employee: Chief of Police

Atty. Estrada announced that a 3% Cost of Living Adjustment (retroactive to the fiscal year) was approved and staff was directed to prepare a salary resolution to bring back at the next meeting to include the COLA.

**B) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (G.C. 54957)**

Title: City Administrator

No reportable action.