

SAN FERNANDO CITY COUNCIL

MINUTES

APRIL 16, 2007 – 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 6:13 p.m.

The following persons were recorded as present:

PRESENT:

Council: Mayor Julie Ruelas, Mayor Pro Tem Nury Martinez, Councilmembers Steven Veres, 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: *City Clerk Chávez reported that Councilmember Maribel De La Torre was at the National American Planners Association conference in Philadelphia and could not be at the meeting.*

PLEDGE OF ALLEGIANCE

Mayor Ruelas led the pledge.

INVOCATION

Mayor Ruelas gave the invocation.

PRESENTATIONS

A) NATIONAL LIBRARY WEEK - APRIL 15-21, 2007

Mayor Ruelas presented the certificate to San Fernando Library Branch Manager Kathy Coakley.

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B) CESAR E. CHÁVEZ ART AND ESSAY CONTEST WINNERS

César Chávez Committee Member Stan Leandro and staff presented certificates to local school children.

C) CESAR E. CHÁVEZ AWARD PRESENTATION

Mayor Ruelas and Mayor Pro Tem Martinez presented the award to Irene Tovar.

D) RECOGNITION OF YOUTH COUNCIL MEMBERS

Mayor Ruelas provided certificates of recognition to Youth Council Members and thanked them for their participation and contributions.

E) EARTHQUAKE PREPAREDNESS MONTH – APRIL

Mayor Ruelas read the proclamation and said that it would be displayed at City Hall.

APPROVAL OF AGENDA

Mayor Ruelas announced that at the request of the San Fernando Chamber of Commerce, Item No. 14 would be removed from the agenda.

Motion by Councilmember Hernandez, seconded by Mayor Ruelas, to approve the agenda with the above change. The motion carried with the following vote:

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Lillian Soqui, Castaic, reported that she filed a claim against the City in 2005 and was here to express her concerns on how the City has chosen to handle various safety issues around town.

Victor Ceballos, on behalf of the San Fernando Downtown Mall Association, thanked the City Council for supporting their First Annual Bridal Expo, and he thanked staff and the volunteers for helping out with the event.

Brenda Esqueda showed pictures of her neighborhood (graffiti, unkempt yards, etc.) and complained about property owners that rent their properties and don't upkeep them and how this negatively affects the neighbors and neighborhood.

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Ralph Perez talked about trees that were knocked down years ago and said that the City promised to remove the stumps but they still remain. He is proud to live here but there are many eyesores.

Mayor Ruelas asked that he speak with Public Works Director Ron Ruiz to make certain that the tree stumps are removed soon.

Mary Guzman, teacher at Morningside Elementary School, invited Councilmembers to attend their upcoming College/Career Night on May 15 to speak to the children.

CONSENT CALENDAR

Mayor Ruelas asked to pull Item No. 2 for further discussion.

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Hernández, to approve the following remaining Consent Calendar items:

- 1) APPROVAL OF MINUTES OF FEBRUARY 20, 2007 – REGULAR MEETING
- 3) RESOLUTION APPROVING THE GRANT AGREEMENT WITH THE CALIFORNIA CULTURAL AND HISTORICAL ENDOWMENT (CCHE) FOR THE LOPEZ ADOBE PRESERVATION PLAN
- 4) CONTRACT AWARD FOR UTILITIES RATE STUDY
- 5) DESTRUCTION OF RECORDS – CITY CLERK AND CITY TREASURER OFFICES
- 6) SELECTION OF CONSERVATOR FIRM FOR LOPEZ ADOBE PRESERVATION PROJECT
- 7) FISCAL YEAR 2007-2008 LANDSCAPING & LIGHTING ASSESSMENT DISTRICT APPROVAL OF ENGINEER’S REPORT AND SETTING A DATE FOR THE PUBLIC HEARING

The motion carried with the following vote:

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

Items Removed for Further Discussion:

- 2) APPROVAL OF WARRANT REGISTER NO. 07-042

In response to Mayor Ruelas’ question, Helen Collins reported that the Kiwanis Club will not be donating live trees and instead gave money to the City for the purchase artificial Christmas trees.

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

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

NEW BUSINESS

- 8) APPROVAL OF CONFLICT WAIVER FOR RICHARDS, WATSON & GERSHON IN THE MATTER OF *Los Angeles Unified School District v. The County of Los Angeles, et al*, BS 108180

At this time, Mayor Ruelas opened the Redevelopment Agency in order to hold a joint meeting.

City Atty. Estrada presented the staff report and responded to various questions.

Motion by Councilmember Hernández, seconded by Councilmember Veres, to approve a Conflict Waiver enabling Richards, Watson & Gershon, to represent the City in this lawsuit, and authorize the City Administrator to execute the conflict waiver. The motion carried with the following vote:

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

RECESS (7:46 P.M.)

Mayor Ruelas recessed the meeting in order to convene the Redevelopment Agency meeting.

RECONVENE (7:47 P.M.)

- 9) UPDATE ON IMPLEMENTATION OF COMMUNITY ACTION PLAN FOR NEIGHBORHOOD PROTECTION AND PRESERVATION (CAPP)

Senior Planner Fred Ramirez presented the staff report and responded to questions from Councilmembers.

Councilmember Hernández said that there are remarkable changes taking place but we still need some work done in this area.

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Mayor Pro Tem Martinez said that she placed this on the agenda in order to have periodic updates to the City Council. She is pleased that progress is being made but maybe we need to discuss whether to increase the budget where we lack resources.

Mayor Ruelas recommends that we find ways to add more of an educational and/or social services component that is missing.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to receive and file the Community Action Plan report. The motion carried with the following vote:

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

10) RESOLUTION ESTABLISHING A TEMPORARY MONTHLY PARKING RATE FOR PARKING LOT 6N

Public Works Director Ron Ruiz presented the staff report and Councilmember Veres explained why he requested that this be placed on the agenda.

City Atty. Estrada suggested modifications to the Resolution to include that staff be directed to bring this back to the City Council no later than January 2008 to determine whether the rate should be adjusted at that time.

Motion by Councilmember Veres, seconded by Mayor Ruelas, to adopt the Resolution and include the verbiage suggested by the City Attorney. The motion carried with the following vote:

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

CITY COUNCIL ITEMS

11) LETTER OF SUPPORT FOR UNITED FOOD AND COMMERCIAL WORKERS (UFCW)

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Hernández, to submit letters on behalf of the City Council to the supermarket management in support of the workers. The motion carried with the following vote:

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

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12) *SAN FERNANDO SUN* ADS FOR MACLAY AVENUE BUSINESSES

Mayor Ruelas said how she's concerned that Maclay Avenue businesses are losing customers due to the construction and suggested placing ads in the *San Fernando Sun* newspaper.

Motion by Councilmember Hernández, seconded by Mayor Ruelas, to budget \$500 for ads in the *San Fernando Sun* newspaper stating that stores are open for business and encourage people to patron them.

Mayor Pro Tem Martinez said that she does not like that there isn't a comprehensive plan on how to address this issue and that staff and the Ad Hoc committee need to work together in putting together a strategy on how to do so.

The above motion failed with the following vote:

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

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Veres, to approve \$1,000 for ads in the *San Fernando Sun* newspaper stating that stores are open for business and encouraging people to patron them. The motion carried with the following vote:

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

13) U.S. MAYORS CLIMATE PROTECTION AGREEMENT

Mayor Ruelas said she placed this on the agenda so she can join in as one of the mayors in order to represent the City of San Fernando.

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Veres, that the City join over 400 other cities which have signed on to the U.S. Mayors Climate Protection Agreement and become a "cool city". The motion carried with the following vote:

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

14) CHAMBER OF COMMERCE REQUEST FOR WAIVER OF FEES

This item was removed (at the request of the San Fernando Chamber of Commerce) under Approval of Agenda.

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GENERAL COUNCIL COMMENTS

Councilmember Hernández: 1) thanked everyone for the two recent successful events: the Bridal Expo and the Cesar Chávez March for Justice; 2) talked about the potholes that need to be patched to avoid any tripping hazards; and 3) said that the City Council Procedural Manual states that items placed on the agenda by City Council should be done by a specific time and that the Councilmember doing so should provide the City Clerk with the supporting information. He asked who should be enforcing this?

City Atty. Estrada stated that staff tries to be accommodating and he strongly encouraged the City Council to follow that procedure; specifically to include their materials which provide the public and staff background information on their item/s.

Mayor Pro Tem Martinez: 1) requested that the meeting adjourn in memory of the victims of the Virginia Tech massacre that occurred this morning; 2) said that she and Chief Anthony Alba worked on the middle school valet program and would like to see this back on track; 3) talked about Univision contacting our seniors to film them for the Dispierta America show; 4) asked what the City is doing in regards to homeless issues; 5) reported that the first annual Bridal Expo was a great success; 6) said that there were residents at the Housing Element meeting that wanted copies of the presentation made by the consultant; 6) reported that the Housing Ad Hoc Committee met and discussed the recent increase in foreclosures; and 7) would like to see the gang intervention program started up again.

Mayor Ruelas: 1) reminded everyone that the Maclay Avenue Streetscape Ad Hoc Committee will meet tomorrow at 7:00 p.m.; 2) reported that the S.F. Museum of Art & History will have an opening of the Richie Valens exhibit; 3) said there will be free CERT classes beginning on May 8; 4) congratulated the Mall Association on the Bridal Expo and dinner - it was very well planned; and 5) recently left a message for the S.F. Middle School principal regarding the valet program and will follow up.

STAFF COMMUNICATION

Mr. Ruiz gave an update on the graffiti hotline and congratulated City Yard employees for the great job they did in handling the 80 windstorm incidents.

RECESS TO CLOSED SESSION (10:21 P.M.)

Motion by Mayor Pro Tem Martinez, seconded by Mayor Ruelas, to recess to the following Closed Session, thereafter to adjourn in memory of the victims of the Virginia Tech massacre.

The motion carried with the following vote.

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

- A) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
G.C. 54957

No reportable action.

- B) CONFERENCE WITH LEGAL COUNSEL
Anticipated Litigation:
G.C. 54956.9(b)(1)

A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on facts and circumstances that might result in litigation but which the City believes are not yet known to the potential plaintiff or plaintiffs, there is a significant exposure to litigation against the City.

No reportable action.

- C) CONFERENCE WITH LEGAL COUNSEL
Existing Litigation:
G.C. 54956.9(a)

Name of Case: Los Angeles Unified School District v. The County of Los Angeles,
et al, BS 108180

The City Council authorized legal counsel defense of this case.