

SAN FERNANDO CITY COUNCIL

MINUTES

JANUARY 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 Nury Martinez called the meeting to order at 6:12 p.m.

The following persons were recorded as present:

PRESENT:

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

Staff: City Administrator José E. Pulido, City Attorney Michael Estrada, and Deputy City Clerk Laura Valdivia

City Treasurer: Margarita Solis

PLEDGE OF ALLEGIANCE

Mayor Martinez led the pledge.

INVOCATION

Mayor Martinez called for a moment of silence.

APPROVAL OF AGENDA

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

PUBLIC STATEMENTS – WRITTEN/ORAL

Dr. Pai, Valley Occupational Medical Center, 1009 Glenoaks Boulevard, stating he has

complained about the disrepair of the alley behind his business for last 10 years and has not received any response from the City.

Felipa Grimaldo, resident on Hollister Street, spoke on her concern regarding traffic on Hollister and Maclay and the many accidents she sees and asked that a stop sign be installed to protect the students and pregnant women.

CONSENT CALENDAR

Mayor Pro Tem Ruelas removed Item Nos. 1 and 2 for further discussion.

Motion by Councilmember De La Torre, seconded by Mayor Martinez, to approve the remaining Consent Calendar Item. The motion carried unanimously.

3) APPROVAL OF THE BICYCLE MASTER PLAN

Items Pulled for Further Discussion:

1) APPROVAL OF WARRANT REGISTER NO. 07-012

Staff responded to questions from Mayor Pro Tem Ruelas regarding the Grant Project Assistant position, the GFOA Certificate of Achievement, the Lease Payment on the Sharp Copier, and CPR and First Aid Classes.

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

2) CITY AND REDEVELOPMENT AGENCY (RDA) ANNUAL FINANCIAL REPORTS

Ms. Quijano responded to Mayor Pro Tem Ruelas' request for an overview of each report.

Motion by Mayor Pro Tem Ruelas, seconded by Mayor Martinez that the City Council accept the following annual reports for the Fiscal Year (FY) 2005-2006: Redevelopment Agency Independent Audit Report; Draft Comprehensive Annual Financial Report (CAFR) covering the financial activities of both the City and RDA; Financial Transactions Reports for the City and the RDA; Statement of Indebtedness as filed on October 2, 2006; and Housing Activity Report covering activities of the Low and Moderate Income Housing Fund, as prepared by Community Development and Finance Departments. The motion carried unanimously.

CONTINUED ITEM

Mayor Martinez left the meeting at this time on the advice of the City Attorney due to a potential conflict of interest arising from the proximity of her residence to the property at issue.

- 4) TENTATIVE TRACT MAP 2006-01 AND SITE PLAN REVIEW 2005-31:
PROPOSED RESIDENTIAL TOWNHOUSE CONDOMINIUM DEVELOPMENT AT
1075 AND 1101 NORTH MACLAY AVENUE

Community Development Director Paul Deibel presented the staff report and Senior Planner Fred Ramirez presented a review of the design.

Mayor Pro Tem Ruelas called for public comment at this time.

Linda Nevarez, resident on Phillippe Street stating that most of her concerns have already been addressed with the exception of the lack of parking for the units.

Diane Raymond resident on Phillippe Street expressed her appreciation to staff and the developer for working with the neighborhood on their concerns so far, however she had additional concerns regarding traffic, noise, the six-foot block wall, and where the placement of the trash containers would be.

Ms. Calderon resident on Phillippe Street stating she has concerns regarding the lighting in the complex.

Anna Gonzalez resident on Phillippe Street stating her concerns are with lighting and safety issues.

Mr. Ramirez responded to the residents' concerns.

Mr. Deibel responded to the question from Councilmember Dr. Hernandez regarding the choice between condominiums and apartments.

Mr. Estrada stated for clarification, that the consequence of the decision on the tract map is condominium versus rental but the basis of Council's decision should be focused on the findings in Section 5 of the Resolution.

Councilmember Veres asked staff to include in the HOA agreement, rules that govern parties and that both sides of the wall must be maintained. He also commented that he appreciated the developer's willingness to do this with the City and suggested that the screening process be implemented as soon as possible.

Mr. Ramirez responded to Mayor Pro Tem Ruelas' concern regarding the potential difficulty of crossing at Knox Street.

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Motion by Councilmember De La Torre, seconded by Councilmember Dr. Hernández that the City Council accept public comments on the proposed Resolution for the Tentative Tract Map and comments on the site plan review application; and adopt a Resolution approving a Tentative Tract Map, subject to the recommended conditions of approval contained therein.

The motion carried with the following vote:

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

Mayor Martinez returned to the meeting at this time.

PUBLIC HEARING

5) ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
FUNDING FOR FISCAL YEAR 2007-2008

The Mayor 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 comment portion of the Hearing.

Discussion ensued regarding street improvement funding; the pavement impact fee; funding for graffiti removal; installation of gutters on Carlisle Street; master plan for sidewalk design; and the timeframe for the use of the funds.

Motion by Mayor Martinez, seconded by Councilmember Veres to continue this item to the next City Council meeting to allow staff to bring forth additional analysis. The motion carried unanimously.

Councilmember Dr. Hernández requested that City Council Item 12 be heard before Item 6 so the residents won't have to wait until the end of the meeting. By a consensus the item was moved up.

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12) SPEEDING ON MACLAY AND HOLLISTER STREETS

Mayor Pro Tem Ruelas stated that due to concerns expressed by neighborhood residents about accidents and speeding at this intersection, she is proposing that a stop sign be installed.

City Engineer Daniel Wall reported that the City recently applied for a \$1 million Safe Routes to School Grant, which specifically addresses traffic issues in the Maclay Corridor. He suggested that in the interim, several alternate remedies can be put in place such as flashing beacons at school crossings and enhanced striping in the crosswalk, which will allow time to determine if the other planned improvements lower traffic speeds.

Councilmember Dr. Hernández left the dais at this time.

Discussion ensued regarding speeding; traffic counters; pedestrian master plan; and the residential area between Pico Street and Laurel Canyon.

By a consensus, staff was directed to conduct a vehicle and pedestrian count and report back to Council at the next meeting.

NEW BUSINESS

6) **AWARD OF CONTRACT FOR SAN FERNANDO REGIONAL SWIMMING POOL FACILITY**

Public Works Director Ron Ruiz presented the staff report.

Discussion ensued regarding the company's good reputation; bringing the deducts to the Council in the future for review; distributing a community newsletter announcing the contract award and a construction timeline; and that the contractor incorporate the Project Labor Agreement as much as possible.

Councilmember Dr. Hernández returned to the dais at this time.

Motion by Mayor Martinez, seconded by Mayor Pro Tem Ruelas that the City Council accept the lowest responsive bid in the amount of \$9,542,538 from Novus Commercial Interiors, for the construction of the San Fernando Regional Swimming Pool Facility; Authorize the City Administrator to execute a Construction Contract with Novus Commercial Interiors; and, Authorize the Public Works Director, or his designee, to negotiate and execute one or more change orders to the contract with Novus Commercial Interiors for related additional but unforeseen work, which may develop during the project – the total value of which shall not exceed \$100,000; and that staff distribute another community newsletter update to residents announcing the award of this contract and include a construction project timeline. The motion carried unanimously.

7) **AWARD OF PROJECT MANAGER FOR SAN FERNANDO REGIONAL SWIMMING POOL FACILITY**

Public Works Director Ron Ruiz presented the staff report.

Councilmember Veres left the dais at this time.

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Discussion ensued regarding if the application requested a description of aquatic experience.

Motion by Mayor Martinez, seconded by Mayor Pro Tem Ruelas that the City Council Award a Professional Services Agreement to DMR Team, Inc., Project Management Services for the San Fernando Regional Swimming Pool Facility; and Authorize the City Administrator to execute a Professional Services Contract with DMR Team, Inc. not to exceed \$298,620.

The motion carried with the following vote:

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

Councilmember Veres returned to the dais at this time.

8) AWARD OF CONTRACT FOR DESIGN SERVICES FOR SAN FERNANDO REGIONAL SWIMMING POOL FACILITY

Public Works Director Ron Ruiz presented the staff report.

Staff responded to Mayor Pro Tem Ruelas' question regarding the travel reimbursement.

Motion by Mayor Martinez, seconded by Councilmember Dr. Hernández that the City Council Award a Professional Services Agreement to Maple Dell + McClelland Architects for Design Services for the San Fernando Regional Swimming Pool Project; and Authorize the City Administrator to execute a Professional Services Contract with Maple Dell + McClelland Architects for an amount not to exceed \$109,580. The motion carried unanimously.

9) BUDGET ADJUSTMENT FOR CITY YARD RELOCATION

Public Works Director Ron Ruiz presented the staff report.

Staff responded to Councilmember Veres' question if this will impact water rates.

Motion by Mayor Martinez, seconded by Councilmember Veres that the City Council adopt a Resolution approving a budget adjustment of \$150,000 in the Water Fund for the City Yard Relocation. The motion carried unanimously.

10) DISPOSITION OF CITY-OWNED SURPLUS AND PERSONAL PROPERTY

Public Works Director Ron Ruiz presented the staff report.

Discussion ensued regarding the auction of surplus property; the disposal of file cabinets; and that the computers be disposed of in the most environmentally friendly way possible.

Motion by Mayor Martinez, seconded by Mayor Pro Tem Ruelas that the City Council declare all the items on the Surplus Property List as surplus and authorize the City Administrator to dispose of surplus City-owned property in accordance with Chapter 2, Article VI, Division 7, of the City of San Fernando Municipal Code. The motion carried unanimously

11) RESERVOIR GRADING BID AWARD

City Engineer Daniel Wall presented the staff report.

Staff responded to questions from Council regarding the storage area and containers; if the City of San Fernando is in compliance with the City of Los Angeles since we share that land; and if staff can consider providing shade and a covering to make them less obtrusive.

Motion by Mayor Martinez, seconded by Councilmember Veres that the City Council award the bid for the Reservoir Site Grading at 12900 Dronfield Avenue in Sylmar to prepare for the placement of dry storage containers to Padilla Paving and authorize the City Administrator to execute a contract with Padilla Paving in an amount not to exceed \$92,625, and that staff be directed to paint containers and add screening and shading. The motion carried unanimously.

GENERAL COUNCIL COMMENTS

Councilmember De La Torre: 1) requested that staff schedule meetings with state and federal elected officials to request funding for San Fernando street and sidewalk projects; 2) that Council consider the creation of a Pedestrian Master Plan; and 3) asked if the City has prosecuted any Graffiti vandals, suggested that the City put out a press release notifying residents of prosecutions, and that staff submit letters to the court requesting that violators be prosecuted to the fullest extent of the law.

Councilmember Dr. Hernández requested that the meeting be adjourned in memory of Richard Nevarez, Sr.

Mayor Pro Tem Ruelas: 1) requested that a Resolution prioritizing Children, Youth & Families be agendized for the next meeting; 2) asked about the new animal control officer; and 3) asked if staff is planning to attend the CCHE meeting tomorrow.

Councilmember Veres: 1) suggested that staff revisit the Specific Plan setbacks; 2) requested a speed hump evaluation of Library Street and Glenoaks Blvd.; 3) asked if the City can impose a tax on paint ball store grease markers; 4) consider Megan's Law outreach, workshops, or community meetings at local schools; 5) suggested considering dog obedience classes at the parks; and 6) requested that the City reach out to the veterans at the VFW and offer alternate locations for them to meet due to being displaced as a result of an arson fire.

Mayor Martinez: 1) commented on the gang related drive-by shooting earlier that day at Sylmar High School and requested that police patrol be increased if necessary; and 2) reminded staff about her request to convene a meeting of the Public Safety Ad Hoc Committee.

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STAFF COMMUNICATION

Mr. Ruiz announced the next San Fernando Healthy Cities meeting will be held on Tuesday January 23, 2007, at 6:00 p.m. at Cesar Chávez Park and staff will be sending out letters and emails in English and Spanish.

Chief Alba announced that Channel 11 news profiled an assembly at San Fernando Middle School as part of a documentary called “Children Fighting Meth”.

Ms. Quijano asked the Council if they would be available to attend a Special Study Session to discuss the Mid-Year Budget Review on either January 22 or January 29, 2007.

Council responded that January 22, 2007 at 5:00 p.m. would be best for them.

RECESS TO CLOSED SESSION (9:14 P.M.)

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

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

G.C. 54956.9(a)

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the City in the litigation.

San Fernando Stakeholders and Adriana Gomez v. City of San Fernando and San Fernando Redevelopment Agency, LASC No. BS 106201.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (G.C. 54956.9 (a))

Name of Case: Michael Somerville v. City of San Fernando

WCAB Case No.: VNO 0459348; 0459349

Claim No.: A2240019

No reportable action.