

**SAN FERNANDO CITY COUNCIL
MINUTES**

**JULY 2, 2007 – 6:00 PM
REGULAR MEETING**

City Hall Council Chamber
117 Macneil Street
San Fernando, CA 91340

CALL TO ORDER/ROLL CALL

Mayor Julie Ruelas called the meeting to order at 6:12 p.m.

Present:

Council: Mayor Julie Ruelas, Mayor Pro Tem Nury Martinez (arrived at 6:12 p.m.), Councilmembers Steven Veres and Dr. José Hernández

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

Absent: Councilmember Maribel De La Torre (NALEO Conference)

PLEDGE OF ALLEGIANCE Mayor Ruelas

INVOCATION Mayor Ruelas

PRESENTATIONS

The following presentations were made:

- A) SMALL BUSINESS AWARD – JULY
EL RAY – NIZAR EL HALABI
- B) RECOGNITION OF COMMUNITY EMERGENCY RESPONSE TEAM (CERT)
GRADUATES

APPROVAL OF AGENDA

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

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

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PUBLIC STATEMENTS – WRITTEN/ORAL

Crystal Calderon and Somitra Butalia requested City Council support of the iCan Festival De Cine.

Juana Cuiriz requested support of Item No. 4 on the agenda (San Fernando Downtown Mall Association Circus Event).

Carlos Hernández and Luis Fernandez asked that the City Council support the proposed rock concert on July 7, 2007 at the San Fernando Station and allow permission for a sound permit.

Motion by Councilmember Veres, seconded by Mayor Ruelas, to approve the addition of the above mentioned item as the matter arose subsequent to the posting of the agenda and must be acted upon prior to the next meeting. The motion carried with the following vote:

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

CONSENT CALENDAR

Mayor Ruelas pulled Item Nos. 2, 5, and 6, and Councilmember Veres pulled Item No. 4 for further discussion.

Motion by Mayor Ruelas, seconded by Councilmember Hernandez, to approve the remaining Consent Calendar Items:

- 1) APPROVAL OF MINUTES OF APRIL 30, 2007 - SPECIAL MEETING
- 3) ORDINANCE DESCRIBING THE REDEVELOPMENT AGENCY'S PROGRAM FOR ACQUIRING PROPERTY BY EMINENT DOMAIN, AS REQUIRED BY SENATE BILL 53; NOTICE REQUIRED BY SENATE BILL 1809

The motion carried with the following vote:

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

Items Removed for Further Discussion:

- 2) APPROVAL OF WARRANT REGISTER NO. 07-071

Staff responded to questions regarding payments made to the Dept. of Conservation.

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Motion by Mayor Ruelas, seconded by Mayor Pro Tem Martinez, to approve Warrant Register No. 07-071. The motion carried with the following vote:

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

4) SAN FERNANDO DOWNTOWN MALL ASSOCIATION CIRCUS EVENT

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez to:

- a) Approve, with conditions, the Circus event for the dates of August 23 through September 6, 2007, during the hours requested;
- b) Approve an amplified sound permit;
- c) Approve the use of 1320 San Fernando Road as the location for the Circus event;
- d) Approve a total waiver of up to \$3,750 related to business license fees;
- e) Adopt a Resolution for Police support (\$2,408) and water usage (\$250); and
- f) Staff to report back with a format to streamline the process for dealing with these types of requests.

The motion carried with the following vote:

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

5) AWARD OF CONTRACT FOR PROFESSIONAL AUDITING SERVICES

Finance Director Lorena Quijano responded to inquiries and was instructed to provide copies of the last audit to the City Councilmembers.

Motion by Mayor Ruelas, seconded by Councilmember Veres, to award a three-year Agreement, with an option to renew an additional two years, to Diehl, Evans & Co, LLP in the amount of \$135,695 to provide professional auditing services and authorize the City Administrator to execute the Agreement. The motion carried with the following vote:

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

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6) ACCEPTANCE OF URBAN AREA SECURITY INITIATIVE GRANT FUNDS
FISCAL YEAR 2006

Motion by Mayor Ruelas, seconded by Councilmember Veres, to accept \$6,000 awarded to the Police Department through the Urban Area Security Initiative grant program and authorize the City Administrator to sign a contract with the City of Los Angeles under which Agreement the City of San Fernando will become a sub-grantee. The motion carried with the following vote:

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

PUBLIC HEARING

7) RESOLUTION AND ORDINANCE ADOPTING REVISIONS TO THE FEE AND
CHARGE STRUCTURES FOR COMMUNITY DEVELOPMENT, FINANCE,
POLICE, AND PUBLIC WORKS DEPARTMENTS

Mayor Ruelas declared the Public Hearing open.

Ms. Quijano presented the staff report.

At this time Mayor Pro Tem Martinez stepped away from the dais.

Mayor Ruelas asked for public testimony, either in favor or opposed.

There being no comments, Mayor Ruelas closed the public portion of the Hearing.

Motion by Councilmember Hernandez, seconded by Councilmember Veres, to adopt a Resolution Establishing Fees and Charges to Defray Costs for General Planning and Development Services; Public Works and Engineering General Services; Commercial Street Sweeping Fees, and Equipment Usage Fee; General Financial Services Including Processing of Special Event Applications, Returned Checks, Business Licenses Processing; and Police Services. The motion carried with the following vote:

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

Motion by Councilmember Veres, seconded by Mayor Ruelas, to introduce for first reading by title only and waive all further reading of “An Ordinance of the City of San Fernando Amending Portions of Chapter 22, Businesses, and Chapter 30, Emergency Services, to Increase Movie Takers and Producers Fees, False Alarm Response Fees and Permit Penalty Fees, and to Require Permits for Commercial Filming, Videotaping and Still Photography. The motion carried with the following vote:

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

- 8) PURCHASE AND SALE AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF SAN FERNANDO AND SAN FERNANDO GATEWAY, LLC FOR THE SALE OF AGENCY-OWNED PROPERTY AT 543, 553 AND 563 GLENOAKS BOULEVARD, AND FOURTH AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH SAN FERNANDO GATEWAY, LLC

Mayor Ruelas declared the Public Hearing open.

Mr. Pulido presented the staff report.

Mayor Pro Tem Martinez returned to the dais.

Mayor Ruelas asked for public testimony, either in favor or opposed.

There being no comments, Mayor Ruelas closed the public portion of the Hearing.

Motion by Councilmember Veres, seconded by Mayor Ruelas, to approve the Fourth Amendment to the Memorandum of Understanding with San Fernando Gateway, LLC; and authorize the City Administrator to execute the Certificate of Acceptance accepting title to the Water Pump Easement Agreement referenced in the Purchase and Sale Agreement. The motion carried with the following vote:

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

CITY COUNCIL ITEMS

By consensus, Item No.s 13 and 14 were moved up on the agenda due to audience members awaiting discussion of these items.

- 13) CO-SPONSORSHIP OF THE EIGHTH ANNUAL SAN FERNANDO EDUCATION TECHNOLOGY TEAM iCAN FESTIVAL DE CINE

Motion by Councilmember Hernández, seconded by Councilmember Veres to approve co-sponsorship of the festival which includes facilitating the use of the County parking facility (Third Street and Maclay Avenue), permitting closure of the alley behind the Library Plaza and allowing display of posters on the City bus stops.

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Councilmember Veres stated that if SFETT can not find funding for rental of movie screens and projectors, he offered a portion (up to \$1,500) of his CBO funding allocation for next year to be used for this purpose.

The above motion and Councilmember Veres' amendment carried with the following vote:

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

14) **AMPLIFIED SOUND PERMIT REQUEST AND PERMISSION TO CONDUCT A ROCK CONCERT AT SAN FERNANDO STATION ON JULY 7, 2007**

Community Development Director Paul Deibel reported that staff received a letter today regarding this request.

Staff was directed to talk to the requestor regarding the process and new event date.

NEW BUSINESS

9) **ADOPTION BY REFERENCE OF AN AMENDMENT TO THE COUNTY OF LOS ANGELES CODE TITLE 10 (ANIMALS) ESTABLISHING A MANDATORY SPAY AND NEUTER PROGRAM FOR DOGS**

Mr. Deibel presented the staff report and responded to questions from Councilmembers.

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Veres, to introduce for first reading by title only and waive further reading of "An Ordinance of the City Council of the City of San Fernando Adopting by Reference Title 10, Animals, of the Los Angeles County Code"; and authorize staff to schedule a Public Hearing on August 6, 2007, for the second reading (adoption) of the Ordinance.

The above motion carried with the following vote:

AYES: Martinez, Veres, Hernández – 3
ABSENT: De La Torre - 1
ABSTAIN: Ruelas – 1

CITY COUNCIL ITEMS (CON'T)

10) **COMMISSION ON THE ENVIRONMENT**

By consensus, Councilmember agreed to form an Ad Hoc Commission on the Environment and appointed Mayor Ruelas and Mayor Pro Tem Martinez as members.

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11) CENSUS BUREAU PLANS TO ELIMINATE THE SAN FERNANDO VALLEY STATISTICAL DISTRICT

By consensus, staff was directed to send a letter to the U.S. Census Bureau in support that the San Fernando Valley keep a statistical district.

12) UPDATES ON THE LEAGUE OF CALIFORNIA CITIES AND DISASTER COUNCIL MEETINGS

Mayor Ruelas gave an update (no action taken).

GENERAL COUNCIL COMMENTS

Mayor Pro Tem Martinez: 1) asked to adjourn in memory of former employee, councilmember, and long-term resident Perry Harris; 2) said that NEVHC was going through labor negotiations; and 3) reported that at the last meeting she had requested a briefing regarding computer services especially since it as not been reviewed since 1996.

Councilmember Veres reported an abandoned vehicle on 500 block of Harps Street.

Mayor Ruelas also requested to adjourn the meeting in memory of Perry Harris and encouraged everyone to attend the Relay for Life Event this weekend.

STAFF COMMUNICATION

Temporary Public Works and Parks Director Ron Ruiz invited everyone to the 4th of July Fireworks and Relay for Life events at Cesar E. Chávez Park, and to the Heritage Park Grand Opening on July 21st.

Finance Director Lorena Quijano reported that the MTA increased the bus pass fares.

RECESS TO CLOSED SESSION (8:49 P.M.)

Motion by Councilmember Hernández, seconded by Mayor Ruelas, to recess to the following Closed Session, thereafter to adjourn in memory of Perry Harris.

The motion carried with the following vote:

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

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CONFERENCE WITH LEGAL COUNSEL

Existing Litigation:

G.C. 54956.9(a)

Name of Case: San Fernando Station LLC v. City of San Fernando, Councilmember Dr. José Hernández, and Mayor Julie Ruelas, Case No. BS 097994.

No reportable action.

I do hereby certify that the foregoing is a true and correct copy of the minutes of July 2, 2007 meeting as approved by the San Fernando City Council.

*Elena G. Chávez
City Clerk*