

SAN FERNANDO CITY COUNCIL

MINUTES

MARCH 19, 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 6:04 p.m.

The following persons were recorded as present:

PRESENT:

Council: Mayor Nury Martinez, Mayor Pro Tem Julie Ruelas, 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: Councilmember Maribel De La Torre

PLEDGE OF ALLEGIANCE

Children of the Lakeview Charter Academy School led the pledge.

INVOCATION

Mayor Martinez called for a moment of silence.

APPROVAL OF AGENDA

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

AYES: Hernández, Ruelas, Veres, Martinez – 4

ABSENT: De La Torre – 1

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PUBLIC STATEMENTS – WRITTEN/ORAL

Dr. James Lawson, 426 N. Macneil St., said he witnessed many cars making illegal turns on Maclay Ave. and has difficulty believing a statement from the Public Works Dept. that pedestrian and traffic safety is of utmost importance.

John Arroyo, 719 ½ N. Maclay Ave, asked when something will be done about the Lutheran School regarding opening up the alley at night to allow for emergency access.

Kerry Carmody, 15031 Rinaldi, Mission Hills, Administrator of Holy Cross Medical Center, reported that they've been working with community members to build a facility that everyone will be proud of. He reported that Holy Cross runs the highest occupancy level of any hospital in the Los Angeles County and they've received a number of letters in support of the expansion.

Al Ghirardeli, Esq., 1622 Fourth St., had been associated with Holy Cross since they organized a committee to build the hospital in 1958 and is very familiar with the situation and the need to expand as soon as possible.

Sev Aszkenazy, 601 S. Brand Blvd., congratulated Councilmembers that were re-elected. He talked about the Maclay Streetscape project street improvements and suggested that a meeting be held with the contractor, community, and business and property owners to possibly break down the project into three or four manageable schedules to fit within the 270 day proposed timeline.

Adriana Gomez, 615 N. Workman St., said that no one argues that the results will be a great but in the process, let's not forget our businesses. Some, at the Library Plaza, reported their slowest week ever and she suggested that parking be free at least during construction.

Brenda Perez Esqueda, 148 N. Huntington, said that major problems in her neighborhood are people taking advantage of the parking permit program, gangs, and graffiti. Another major problem is that some properties are income for landlords who do not live in the City and those landlords should be made responsible for deterioration of the neighborhoods.

Mayor Martinez requested that staff prepare an update for the next Council meeting regarding the Neighborhood C.A.P.P. program and to include information regarding property owners.

Julie Cuellar, 632 Harps St., talked about graffiti and the sidewalks being in bad condition. She was told they would be repaired but hopes that is not being pushed back due to new projects.

Mary Garcia, 233 Maclay Ave., reported that she is a business owner and is grateful for the new improvements but is losing business due to the construction (it's difficult for customers to get through or around the roadblocks).

Eduardo Garcia, 614 Harding Ave., said he has witnessed things during the construction such as police officers waiting for people to make illegal left turns to cite them or parked cars getting citations. He said that we all need to make sacrifices but those who live, work or have a business around Maclay Ave. do not have many options. He believes that the project should have been

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done in segments and that the Public Works and the Police Departments should work together and not take advantage of the situation.

Rachel Peraza, 120 N. Maclay Ave., reported that they are experiencing sales losses; customers are avoiding the traffic because it's difficult and inconvenient. She reported that it is also difficult for her employees to come to work because there is no parking and they've been receiving parking tickets.

Maria Townsend, 15031 Rinaldi St., Mission Hills, works for Providence Holy Cross Medical Center, reported that the hospital saved her husband's life and asked that the City Council consider the benefits to the community and lives saved by supporting the expansion of the hospital.

Dan Lesh, 5480 Ferguson, Los Angeles, thanked the City Council for considering Item No. 8. He said that everyone in the community appreciates the hard work they do at the hospital but expressed concern regarding possible mitigated environmental impacts unless an Environmental Impact Report is prepared by the City of L.A.

CONSENT CALENDAR

Mayor Pro Tem Ruelas pulled Item No. 3 and Councilmember Hernández removed Item No. 4 for further discussion.

Motion by Mayor Martinez, seconded by Councilmember Veres, to approve the remaining Consent Calendar Items.

- 1) APPROVAL OF WARRANT REGISTER NO. 07-032
- 2) CONTRACT AWARD FOR MATERIALS TESTING AND INSPECTION SERVICES FOR THE SAN FERNANDO REGIONAL SWIMMING POOL FACILITY
- 5) RESOLUTION DECLARING THE RESULTS OF THE MARCH 6, 2007 GENERAL MUNICIPAL ELECTION

The motion carried with the following vote:

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

Items Removed for Further Discussion:

- 3) AMPLIFIED SOUND PERMIT REQUEST: FAMSA, 1030 CELIS STREET

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Mayor Pro Tem Ruelas asked if there could be a conflict since this event will be held on the same day as the Cesar Chávez march. Community Development Director Paul Deibel reported that there will be private security guards as well as two uniformed San Fernando Police Officers. Staff will contact the pastor in advance to make him aware of the FAMSA event.

Motion by Mayor Pro Tem Ruelas, seconded by Mayor Martinez, to approve an amplified sound permit to allow FAMSA (1030 Celis Street) to operate an amplified sound system and provide live music performances for an outdoor promotional event on the afternoon of Sunday, March 25, 2007, from the hours of 12:00 p.m. to 6:00 p.m., subject to the recommended conditions of approval.

The motion carried with the following vote:

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

- 4) APPROVAL OF THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SAN FERNANDO AND THE SAN FERNANDO MANAGEMENT GROUP (SFMG), SEIU, LOCAL 721

In response to Councilmember Hernández' inquiry, Mr. Pulido reported that there are five steps in every job classification so potentially some of the members of the bargaining unit are going to start at around the 75% median range.

Motion by Councilmember Hernández, seconded by Mayor Martinez, to approve the MOU between the City of San Fernando and SFMG, and authorize the City Administrator to execute the MOU, as well as implement the provisions therein.

The motion carried with the following vote:

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

OATH OF OFFICE ADMINISTERED BY CITY CLERK TO NEW CITY COUNCILMEMBERS

City Clerk Chávez presented the Certificate of Election and administered the Oath of Office to the following individuals:

Nury Martinez
Julie Ruelas
Steven Veres

Mayor Pro Tem Ruelas stated that the past four years have been very positive and wonderful and is happy to have been reelected and is looking forward to very productive years with the City Council.

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Mayor Martinez thanked her husband, parents, sister and friends. She complimented those who ran for office, said that the campaign was clean and fair and she congratulated her colleagues. She said that it was truly a pleasure to serve as Mayor and to return and continue to do good work and she looks forward to working with everyone.

NEW BUSINESS

5) CITY COUNCIL REORGANIZATION

City Clerk Chávez called for nominations for the position of Mayor.

Mayor Martinez nominated Julie Ruelas; the motion was seconded by Councilmember Hernandez.

City Clerk Chávez asked if there were any other nominations for Mayor. There being none, and hearing no objections, nominations were closed.

The above motion carried with the following vote:

AYES: Hernández, Martinez, Ruelas, Veres – 4

ABSENT: De La Torre – 1

City Clerk Chávez called for nominations for the position of Mayor Pro Tem.

Councilmember Hernández nominated Nury Martinez; the motion was seconded by Mayor Ruelas.

City Clerk Chávez asked if there were any other nominations for Mayor Pro Tem. There being none, and hearing no objections, nominations were closed.

The above motion carried with the following vote:

AYES: Hernández, Ruelas, Martinez, Veres – 4

ABSENT: De La Torre – 1

Mayor Ruelas thanked the City Council for having faith in her ability to serve once again as Mayor and looks forward to the task. She thanked everyone who has supported her including family and friends and stated that she will do her best to serve as Mayor.

7) CESAR CHÁVEZ ANNUAL RATIFICATION OF AWARD RECIPIENT

Temporary Director of Recreation & Community Services Ron Ruiz presented the staff report.

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Motion by Councilmember Hernández, seconded by Mayor Pro Tem Martinez, to accept the 2007 Cesar Chávez awardee selection made by the Cesar Chávez Commemorative Committee and ratified by the Recreation and Community Services Commission; and not reveal the name of the recipient until the 14th Annual Cesar E. Chavez Cultural Arts Festival on March 25, 2007. The motion carried with the following vote:

AYES: Hernández, Ruelas, Martinez, Veres – 4

ABSENT: De La Torre – 1

CITY COUNCIL ITEMS

8) PROVIDENCE HOLY CROSS MEDICAL CENTER EXPANSION

Mayor Pro Tem Martinez stated that she does not oppose the hospital expansion. She said that a number of community members have expressed concerns regarding the construction process and the support of an Environmental Impact Report. She suggested that the City send a letter to the Los Angeles Planning Commission requesting that Holy Cross conduct an EIR.

Waldo Romero, Project Administrator, reported that the project already received a Negative Declaration and stated that going forward with an EIR would delay the project by about 12-14 months and could be detrimental to those that they provide service to. He responded to inquiries from Councilmembers.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to move forward with the resolution in the packet.

The motion carried with the following vote:

AYES: Hernández, Ruelas, Martinez, Veres – 4

ABSENT: De La Torre – 1

9) MACLAY AVENUE STREETScape PROJECT UPDATE

Mayor Pro Tem Martinez said that she placed this on the agenda to allow for sufficient input from Councilmembers and to hopefully come up with ways to ease the problems on Maclay Ave. She talked about a letter received from resident Eduardo Garcia regarding signage and pedestrian safety issues and asked what we're doing to mitigate those problems.

Councilmember Veres reported that all are in agreement that we see a very positive thing (there are good intentions) but critical gaps need to be filled.

Mayor Pro Tem Martinez agreed that we need to figure out other ways in which to incorporate some of the ideas to ease the problems along Maclay Ave. We need to conduct outreach to the residents as well as the businesses because the traffic is spilling on to their neighborhoods causing safety concerns.

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Mr. Ruiz reported that there were study sessions when the project was being designed but suggested holding another one or maybe form an Ad Hoc committee to officially maintain communication and dialogue.

Councilmember Hernández expressed concern regarding failed community outreach and said that it is vital that we continue to reach out.

Motion by Councilmember Hernández, seconded by Mayor Ruelas, to create an Ad Hoc regarding Maclay Avenue Streetscape Project appointing Mayor Ruelas and Councilmember Veres to serve on this committee.

GENERAL COUNCIL COMMENTS

Councilmember Hernández: 1) in response to his question, City Clerk Chávez reported that officers are asked to visit polling places on Election Day to make certain that things are running smoothly; 2) requested that the meeting adjourn in memory of Frank Martinez and Myrtle Perkins; 3) reminded everyone about the Cesar Chávez March of Justice and memorial mass on March 25 and 26; and 4) congratulated former Mayor Martinez on the fantastic job she did and said that he knows Mayor Ruelas will do a great job as well.

Mayor Pro Tem Martinez: 1) also requested to adjourn in memory of Frank Martinez (father of former Planning Commissioner Marisela Torres); 2) congratulated City Clerk Chávez for the wonderful job she did on the election and the professional group of poll workers that helped out; 3) said she will be talking to Mr. Deibel regarding directional signage displayed at open house events in neighborhoods; and 4) invited everyone to the Adelante Mujer career conference being held at Valley College on Saturday.

Councilmember Veres: 1) expressed concern regarding voter turnout; and 2) said that we need to work together and finish projects.

Mayor Ruelas: 1) in response to her question, Mr. Ruiz verified that the public speaker's (Ms. Esqueda) concerns will be placed on the next agenda; 2) announced that Cesar Chávez memorial events would be taking place this weekend; 3) also requested to adjourn in memory of Frank Martinez; 4) asked everyone to endorse our local city businesses by shopping and eating in their establishments; 5) thanked audience members for attending and staying for the meeting; and 5) thanked former Mayor Martinez for the great job she did and said that she looks forward to working with the entire Council as a team in the next year.

STAFF COMMUNICATION

Mr. Ruiz invited everyone to the Cesar Chávez events taking place over the next few days. He reported that on April 11, the Transportation and Safety Commission will be holding a special meeting to discuss Park Ave. future improvements for the pool area.

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Mr. Pulido congratulated those that won the election. He reported that the Maclay Streetscape project is a growing process and he looks forward to working with the Ad Hoc committee.

Mr. Deibel reported that the first kick-off workshop for the update housing element process will be on April 12 and on the same day, there will also be a community outreach meeting regarding the Hubbard St. development proposal.

RECESS TO CLOSED SESSION (8:39 PM)

By consensus, the City Council recessed to the following Closed Session, thereafter to adjourn.

CLOSED SESSION

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

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.

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

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

D) 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.