

**SAN FERNANDO CITY COUNCIL**

**MINUTES**

**OCTOBER 1, 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 Pro Tem Nury Martinez called the meeting to order at 6:09 p.m.

The following persons were recorded as present:

**PRESENT:**

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

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

**ABSENT:** *Mayor Pro Tem Martinez announced that Mayor Julie Ruelas was in San Antonio, Texas attending the National League of Cities 2007 National Summit*

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Martinez led the pledge.

**INVOCATION**

Moment of silence.

**PRESENTATIONS**

A) SMALL BUSINESS AWARD – OCTOBER  
PANADERIA SAN FERNANDO – GRACIELA VEGA

Mayor Pro Tem Martinez read the plaque which was later presented to Ms. Vega.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 1, 2007**

**Page 2**

**B) CALIFORNIA ARTS DAY – OCTOBER 5, 2007**

Mayor Pro Tem Martinez presented the certificates to City employee Virginia Diediker, Cultural Arts Commissioner Javier Verdin and Historical Commissioner Victoria Norton.

**APPROVAL OF AGENDA**

Motion by Councilmember De La Torre, seconded by Councilmember Hernandez, to approve the agenda. The motion carried with the following vote:

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

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Cesar Garcia talked about his concerns regarding the proposed graffiti ordinance which will affect the business community and property owners and inquired why won't there be a public hearing on this issue?

Dr. James Lawson said that as the City's representative to the Greater LA County Vector Control District, he has attempted several times to agendize an update to the City Council but staff has not been responsive to his requests. He believes that the proposed graffiti ordinance is punitive to property owners and businesses forcing them to control this specific crime.

Juana Cuiriz, San Fernando Downtown Mall Association, requested support of Item No. 10 for a pumpkin patch, haunted house and Christmas tree lot. She also reported that none of the local food vendors, who have been a part of the Menudo Festival since its inception, were invited to participate this year.

Sister Eleanor Ortega, St. Ferdinand School Principal, requested support of Item No. 6 regarding the school gate closure and in addition to staff's recommendation, asked if it were possible to explore the likelihood of a stop sign too.

Kitty Kroger, former San Fernando High School Librarian, spoke in favor of agenda Item No. 9 to bring the troops home from Iraq immediately and safely.

David Hernández introduced himself as the new Executive Director of the San Fernando Chamber of Commerce and said that he is looking forward to working with the City Council and said it is important to have open communication and reported that they will begin holding monthly governmental affairs meetings.

Mayor Pro Tem Martinez asked that he send the City Council and staff information regarding the meetings.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 1, 2007**

**Page 3**

Francisco Flores, resident and teacher at San Fernando Middle School, said that his daughters attend St. Ferdinand School and he's concerned about the safety of the children.

Graciela Vega apologized for arriving late but thanked the City Council for the beautiful Small Business Award plaque.

Norma Flores reported that her daughters attend St. Ferdinand School and spoke in favor of Item No. 6 but for additional safety purposes, she also suggested a stop sign. She inquired about the process for more speed humps.

**CONSENT CALENDAR**

Councilmember Veres removed Item No. 3 for further discussion.

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

- 1) APPROVAL OF MINUTES OF:
  - a) APRIL 2, 2007 - REGULAR MEETING
  - b) SEPTEMBER 17, 2007 – REGULAR MEETING
- 2) APPROVAL OF WARRANT REGISTER NO. 07-101
- 4) RESOLUTION ADOPTING THE DEVELOPMENT PLAN AND SCHEDULE FOR THE SEWER SYSTEM MANAGEMENT PLAN
- 5) CITY OF LOS ANGELES INDEMNIFICATION AND HOLD HARMLESS AGREEMENT FOR 5KM MISSION RUN/WALK

The motion carried with the following vote:

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

**Items Removed for Further Discussion:**

- 3) AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR A WATER CONSERVATION PLAN AND SERVICES

Councilmember Veres expressed concern regarding the consistent use of one particular consultant. He would like to make certain that when we deal with water issues, it's an open environment/opportunity to compete (staff should look at ways to open up the process).

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 1, 2007**

**Page 4**

Councilmember De La Torre said that for many years she's requested the need to address low-flush toilets and low-flow shower heads with respect to when properties turn over and those issues are not being addressed in this document. She also inquired about public outreach and the need for bilingual materials/information.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to award an Agreement to John L. Hunter and Associates, Inc. for a Water Conservation Plan and Services and authorize the City Administrator to execute the contract not to exceed \$63,400. Staff and consultant to work with the City's Metropolitan Water District liaison, Sylvia Ballin. The motion carried with the following vote:

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

**NEW BUSINESS**

**6) ST. FERDINAND SCHOOL GATE CLOSURE**

Mr. Ruiz presented the staff report and explained the petition process regarding requesting speed humps and said he would be happy to meet with Ms. Flores to go over the process.

City Atty. Estrada responded to questions and explained that this proposal was agreed upon by St. Ferdinand Church, the Archdiocese, and staff.

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to direct staff to install speed humps, a raised crosswalk, and lighted crosswalk warning signs along Coronel Street between Maclay Avenue and Carlisle Street in lieu of closing Coronel Street. Also, that staff explore the school's request for a stop sign. The motion carried with the following vote:

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

**7) GRAFFITI CONTROL ORDINANCE AND PROPOSED IMPLEMENTATION PROGRAM**

Community Development Director Paul Deibel presented the staff report.

Mr. Deibel and Attorney James Eckart (City Prosecutor's Office) responded to questions regarding the 72 hour review period, the current 24 hour graffiti removal time frame, businesses and property owners opting into the program, the form that will be presented to business owners at the time of they renew their business license, and the outreach strategy.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 1, 2007**

**Page 5**

Mayor Pro Tem Martinez asked if this item could be continued to the next meeting to allow input from the business community.

Councilmember Veres said that this is missing a component having to do with providing incentives (i.e., recognizing businesses that are doing a good job of immediately removing the graffiti).

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Hernández, to bring this back as a public hearing at the next City Council meeting.

Mr. Deibel explained that Atty. Eckhart would not be available for the next City Council meeting and holding a meeting next week would not provide staff sufficient time for noticing the meeting, outreach, and sufficient time to research issues brought up by Councilmembers. Therefore he requested that date be left open at this time and allow staff more time to establish a date.

Councilmembers concurred.

**CITY COUNCIL ITEMS**

8) APPOINTMENT TO THE TRANSPORTATION & SAFETY COMMISSION

Motion by Councilmember Veres, seconded by Councilmember Hernández, to appoint Jesus Flores to the Transportation & Safety Commission as his representative. The motion carried with the following vote:

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

9) RESOLUTION TO BRING TROOPS HOME NOW

Motion by Councilmember Veres, seconded by Mayor Pro Tem Martinez, to adopt a Resolution to bring our troops home now (City Attorney to make the appropriate modifications to the Resolution). The motion carried with the following vote:

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

10) REQUEST FROM THE SAN FERNANDO DOWNTOWN MALL ASSOCIATION REGARDING A PUMPKIN PATCH AND HALLOWEEN HAUNTED HOUSE, AND CHRISTMAS TREE LOT

## **SAN FERNANDO CITY COUNCIL**

**MINUTES – October 1, 2007**

**Page 6**

Mayor Pro Tem Martinez talked about the San Fernando Downtown Mall Association's successful circus event and asked what the amount would be to waive the fees regarding their latest request.

Mr. Ruiz reported that there will not be an amplified sound permit request and no need for police services, therefore did foresee any costs.

In response to questions from Councilmember De La Torre, Ms. Cuiriz responded that 25% of the sales will go toward the Downtown Mall Association's promotion budget, it will be a small fundraiser, and the promoter will be providing an insurance certificate naming the City as additional insured.

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Veres, to approve the following events to be held by the San Fernando Downtown Mall Association for the pumpkin patch, Halloween Haunted House (October 2<sup>nd</sup> – 31<sup>st</sup>) and Christmas Tree Lot (November 23<sup>rd</sup> – December 25<sup>th</sup>) and waiving of fees to use the vacant property located at 1320 San Fernando Road next to the skate park. The motion carried with the following vote:

AYES: Veres, Martinez, Hernández – 3

ABSENT: Ruelas – 1

ABSTAIN: De La Torre – 1

### **GENERAL COUNCIL COMMENTS**

Councilmember De La Torre asked why businesses were being excluded from the Menudo Festival.

Councilmember Veres: 1) expressed frustration and disappointment regarding a recent drug bust involving a house in which the City helped subsidize and said we must figure out ways to protect the City in the future; and 2) announced the grand opening of Heritage Park on October 19 (Morningside School students will be making a field trip to the park and will participate).

Mayor Pro Tem Martinez said there is no excuse for not involving local merchants in the Menudo Festival and wants the issue addressed immediately. Mr. Ruiz said the vendors were never excluded and he will follow up.

### **STAFF COMMUNICATION**

Mr. Pulido reported that the \$24,000 commitment from the City regarding the house described in the newspapers was specifically for relocation expenses per redevelopment law.

Mr. Deibel reported that the next Community Participation Meeting on the upcoming Draft Environmental Impact Report for the San Fernando Parking Lots Development Project will be held on October 10 and will be bilingual.

**SAN FERNANDO CITY COUNCIL**

**MINUTES – October 1, 2007**

**Page 7**

Mr. Ruiz: 1) reported that the City received \$2,500 from the “Run for Something Better” grant for the after school program at Morningside School; 2) announced the grand opening of Heritage Park on October 19 (postcards will be mailed city wide); 3) said that Menudo Festival presale tickets are now being sold at a discount; and 4) reminded everyone that the 5K Mission Run will be on October 13.

**ADJOURNMENT (8:18 P.M.)**

Motion by Mayor Pro Tem Martinez, seconded by Councilmember Hernandez, to adjourn. The motion carried with the following vote:

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