

**SAN FERNANDO CITY COUNCIL
MINUTES**

**April 20, 2009 – 6:00 P.M.
REGULAR MEETING**

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

CALL TO ORDER/ROLL CALL

Mayor Steven Veres called the meeting to order at 6:38 p.m.

Present:

Council: Mayor Steven Veres, Mayor Pro Tem Mario F. Hernández,
Councilmembers Ernesto Rubio Hernández, Maribel De La Torre,
and Nury Martinez

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

PLEDGE OF ALLEGIANCE Mayor Veres

INVOCATION Mayor Veres

PRESENTATIONS

The following presentations were made:

- a) RECOGNITION OF GRAMMY WINNERS:
 - Mariachi Los Camperos de Nati Cano and Mariachi Master Apprentice Program (MMAP) Instructors
- b) RED HAT DAY – APRIL 25, 2009

APPROVAL OF AGENDA

Motion by Councilmember Martinez, seconded by Councilmember E. Hernández, to approve the agenda. By consensus, the motion carried.

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PUBLIC STATEMENTS – WRITTEN/ORAL

Adriana Gomez expressed gratitude to the police department for their quick reaction regarding the recent break-in at the senior housing development. She also asked what will Mr. Pulido take into consideration when making his decision regarding the charter school?

Sgt. Kevin Glasgow reported that the San Fernando Police Dept. recently received an Award of Excellence from the Office of Traffic Safety and reported that SFPD was the only department in the state of California to receive this high honor.

Tom Ross, SF Mall Association and local business owner, mentioned his concern regarding an upcoming event in the mall which may affect other stores. He also said that it's difficult for him to overcome the bias that the City may have because one IT support services bidder was provided an opportunity to make a recent presentation and the other bidders were not.

Juana Cuiriz, SF Mall Association, echoed Mr. Ross' comments and encouraged City staff to better communicate regarding upcoming events. She also requested City Council support regarding agenda Item No. 13.

Margarita Lopez is not in favor of changing the street name back to First Street and provided copies of Google maps and a petition against renaming the park.

Brenda Esqueda asked that when Mr. Pulido makes his decision regarding the charter school, to consider the City and residents and to make right all the wrongs.

Alex Reza, Newhall, spoke against changing the street name back to First Street.

Julie Cuellar talked about the proposed charter school and if approved, then enrollment priorities should be given to San Fernando residents.

CONSENT CALENDAR

Mayor Pro Tem M. Hernández removed Item No.s 2 and 3, and Councilmember E. Hernández removed Item No. 6 for further discussion.

Motion by Councilmember Martinez, seconded by Councilmember De La Torre, to approve the remaining Consent Calendar items:

- 1) APPROVAL OF MINUTES OF:
 - a) JANUARY 20, 2009 – REGULAR MEETING
 - b) MARCH 2, 2009 – REGULAR MEETING

- 4) AWARD OF CONTRACT FOR RECTIFIER INSTALLATION AT WELL 2A

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- 5) RESOLUTION TO APPOINT CITY'S REPRESENTATIVES TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA) GOVERNING BOARD
- 7) AMPLIFIED SOUND PERMIT REQUEST: SANTA ROSA CHURCH MOTHER'S DAY CELEBRATION, 668 S. WORKMAN STREET
- 8) AMPLIFIED SOUND PERMIT REQUEST: LA TRINIDAD CHURCH PRIVATE EVENT, 1150 O'MELVENY STREET

By consensus, the motion carried.

Items Removed for Further Discussion:

- 2) APPROVAL OF WARRANT REGISTER NO. 09-042

Staff responded to inquiries from Mayor Pro Tem M. Hernández and Councilmember De La Torre regarding various payments (i.e., James Restaurant, El Rey Hotel).

Motion by Councilmember Martinez, seconded by Mayor Pro Tem M. Hernández, to approve the Warrant Register. By consensus, the motion carried.

- 3) DISPOSITION OF SURPLUS CITY-OWNED PERSONAL PROPERTY

Councilmembers asked various questions regarding the disposal of the unidentified computer equipment.

Motion by Councilmember E. Hernandez, seconded by Mayor Pro Tem M. Hernandez to:

- a) Declare items (i.e., vehicles) on the Surplus City-Owned Personal Property List as surplus, with the exception of the electronic/computer equipment items (to be continued to the PVTT Standing Committee for further discussion); and
- b) Authorize the City Administrator to dispose of surplus City-Owned Personal Property in accordance with Chapter 2, Article VI, Division 7, of the City of San Fernando Municipal Code.

By consensus, the motion carried.

- 6) AMPLIFIED SOUND PERMIT REQUEST: T-MOBILE GRAND OPENING, 1100 SAN FERNANDO ROAD

Councilmembers expressed concern regarding this event conflicting with the upcoming SF Mall Association Bridal Expo and said that the permit process should be streamlined in order to involve all affected entities early on in the process.

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Motion by Councilmember E. Hernandez, seconded by Councilmember De La Torre, to approve the amplified sound permit to allow the T-Mobile store to operate an amplified audio sound system for their Grand Opening event on the public right-of-way in front of 1100 San Fernando Road in conjunction with the entire block street closure on Saturday, May 2, 2009, from the hours of 12:00 p.m. to 6:00 p.m. subject to the recommended conditions of approval; and to streamline the permit process to involve affected entities (i.e., our downtown SF Mall Association). By consensus, the motion carried.

PUBLIC HEARING

- 9) RESOLUTION CHANGING THE STREET NAME OF ROBERT F. KENNEDY DRIVE TO FIRST STREET, AN ORDINANCE AMENDING THE MUNICIPAL CODE REFERENCING ROBERT F. KENNEDY DRIVE TO NOW READ FIRST STREET, AND RESOLUTION AMENDING THE FISCAL YEAR 2008-09 BUDGET

At this time, Councilmember Martinez excused herself and left the dais.

Mayor Veres declared the Public Hearing open and City Engineer Daniel Wall presented the staff report.

Mayor Veres called for public testimony and the following individuals spoke in favor:

Brenda Esqueda said that the City should show appreciation for the Bernards Bros. business; they have waited too long for this issue to be resolved.

Ricardo Accorsi, architect for Bernard Bros. said that the street name change should help with way-finding and that the park could be named something special.

Greg Bernards reported that it was a nightmare when they purchased the property on First Street (people could not find the building) and thanked Council for their consideration of renaming the street.

Mayor Veres called for public testimony in opposition. There being no further comments, he closed the public comment portion of the Hearing.

Discussion ensued and staff responded to questions from Councilmembers.

Motion by Councilmember De La Torre, seconded by Mayor Pro Tem M. Hernández, to:

- a) Adopt a Resolution changing the street name of “Robert F. Kennedy Drive” to “First Street”;
- b) Introduce for first reading, in title only, and waive further reading of “An Ordinance of the Council of the City of San Fernando Amending Sections 90-941, 90-942, 90-946, 90-947, and 90-951 of the Municipal Code by Changing the Reference to

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Robert F. Kennedy Drive, in the City of San Fernando to Now Read First Street’;
and

- c) Adopt a Resolution amending the Fiscal Year 2008-09 Budget in the amount of \$1,370.

The motion carried with the following vote:

AYES: De La Torre, M. Hernández, Veres – 3
NOES: E. Hernández – 1
ABSENT: Martinez – 1

- 10) DESIGNATION OF HONORARY NAMES FOR FIRST STREET (ROBERT F. KENNEDY DRIVE) AND SAN FERNANDO RECREATION PARK (CESAR E. CHÁVEZ PARK)

Mayor Veres declared the Public Hearing open and Public Works Director Ron Ruiz presented the staff report.

Mayor Veres called for public testimony in favor or opposition:

Ralph Arriola expressed disappointment regarding “honoring naming” and said it was not enough in terms of honoring these men.

Ricardo Accorsi suggested that a park would be much more worthy in carrying an honorary name.

Roy Esqueda said he was a bit confused by the comments – the City has a huge monument in honor of Cesar E. Chavez.

Mayor Veres read a letter from Antonio Flores (Mission Hills) naming the park in honor of Cesar E. Chavez would be a great tribute .

Mayor Veres also read a letter from the Helen Chavez (widow of Cesar Chavez) who spoke in support of maintaining the park name after her late husband.

Brenda Esqueda reported that the residents’ concerns are that the City Council deal with the budget, sidewalk repair, trees, entertainment, and activities for the children.

There being no further comments, Mayor Veres closed the public comment portion of the Hearing.

Discussion ensued and staff responded to questions from Councilmembers.

Motion by Mayor Veres to adopt a Resolution Designating First Street with the Honorary Name of Robert F. Kennedy Drive. The motion died due to lack of a second.

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Motion by Mayor Veres to adopt a Resolution Designating San Fernando Recreation Park with the Honorary Name of Cesar E. Chávez Park. The motion died due lack of a second.

Mayor Pro Tem M. Hernández said that Robert F. Kennedy deserves more than an industrial street named in his honor and suggested that this be referred to the EPAH Standing Committee for review. By consensus, Council agreed.

CITY COUNCIL ITEMS

11) UPDATE - CITY COUNCIL LIAISON ASSIGNMENTS 2009-2010

By consensus, the recommended appointments were made and Councilmembers are to seek a replacement to the Greater L.A. County Vector Control District and bring back for Council approval.

12) ROTARIANS AT WORK DAY – APRIL 25, 2009

By consensus, April 25, 2009 was proclaimed as Rotarians at Work Day in the City, staff was directed to identify and coordinate a clean-up service project with our local Rotary Club, and prepare a press release and contact *The Sun* and *Daily News* regarding the event.

STANDING COMMITTEE ITEMS

13) PLEDGE AND SECURITY AGREEMENT SECURING LOAN ON BEHALF OF THE SAN FERNANDO MALL ASSOCIATION

Discussion ensued and staff responded to questions from Councilmembers.

Motion by Mayor Veres, seconded by Councilmember E. Hernández, to direct the City Attorney to negotiate a Pledge Agreement acceptable to the City Administrator and VEDC (subject to Items 1, 2, and 4 as listed in the memorandum from the City Attorney). By consensus, the motion carried.

STANDING COMMITTEE UPDATES

No. 1 Budget, Personnel and Finance (BPF)

Mayor Pro Tem M. Hernández – no updates.

No. 2 Housing, Community & Economic Development and Parking (HCEP)

Mayor Veres reported there are on-going discussions with Gangi Development.

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No. 3 Natural Resources, Infrastructure, Water Energy and Waste Management (NRIW)

Councilmember Martinez absent.

No. 4 Public Safety, Veteran Affairs, Technology and Transportation (PVTT)

Councilmember E. Hernández reported that at the last PVTT meeting, staff was asked to follow up regarding various items including VIOS-type system, T1 line service, disposition process for computers, and launching of FTR Minutes software.

No. 5 Education, Parks, Arts, Health and Aging (EPAH)

Councilmember De La Torre – no updates.

GENERAL COUNCIL COMMENTS

Councilmember De La Torre asked about an update regarding a prior Council directive to change the speed limit on Maclay Ave. from 15mph to 25mph and again asked that staff get this moving.

Mayor Pro Tem M. Hernández: 1) (in response to his question) Atty. Estrada reported that the Family Medical Leave Act does not apply to councilmembers; 2) asked about the status on the final report regarding the SF Mall Association’s auditors; and 3) requested that the meeting adjourn in memory of long-time local business owner Joyce Malbrew.

STAFF COMMUNICATION

Public Works Director Ron Ruiz reported staff is: 1) preparing a letter to Congressman Howard Berman’s office due by Friday; 2) working on an outreach campaign with So. California Edison and 2) thanked Mayor Veres regarding his participation in the recent CDC meeting.

Mr. Pulido reported that for the record, he has until April 30th to make a determination regarding 1218 Fourth St. (proposed charter school).

RECESS TO CLOSED SESSION (9:51 P.M.)

By consensus, Councilmembers agreed to recess to the following Closed Session, thereafter to adjourn in memory of Joyce Malbrew.

CONFERENCE WITH LABOR NEGOTIATOR (G.C. 54957.6)

City Negotiator: City Administrator José E. Pulido

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Employee Organizations: San Fernando Management Group (SEIU, Local 721); San Fernando Public Employees' Association (SEIU, Local 721); San Fernando Part-time Employees' Association (SEIU, Local 721)

A Negotiation Committee was formed consisting of Mayor Veres and Mayor Pro Tem M. Hernández.

I do hereby certify that the foregoing is a true and correct copy of the minutes of April 20, 2009 meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk