

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**MAY 17, 2010 – 6:00 P.M.  
REGULAR MEETING**

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

**CALL TO ORDER/ROLL CALL**

Mayor Mario F. Hernández called the meeting to order at 6:03 p.m.

Present:

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

Staff: City Administrator Robert R. Ordelheide, City Attorney Michael  
Estrada, and City Clerk Elena G. Chávez

**PLEDGE OF ALLEGIANCE** Mayor M. Hernández

**INVOCATION** None

**PRESENTATION**

The following presentations were made:

- a) RECOGNITION OF OLDER AMERICAN VOLUNTEERS
- b) NATIONAL PUBLIC WORKS WEEK: MAY 16-22, 2010

**RECESS (6:14 P.M.)**

**RECONVENE (6:50 P.M.)**

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**APPROVAL OF AGENDA**

Councilmember E. Hernández requested that Item No.s 11 and 15 be moved up on the agenda (to be discussed after the Consent Calendar). There being no objections, the agenda was approved as amended.

**PUBLIC STATEMENTS – WRITTEN/ORAL**

Louie Sanchez, representative for Assemblymember Felipe Fuentes, gave an update regarding the 2010 Census.

Manuel Ceballos, Sylmar, said he supports the item on the agenda regarding opposing Arizona immigration law SB 1070.

Eugene Hernández, Sylmar, reported he's glad that the Arizona immigration bill is agendized but asked if the other proposed measures would be addressed as well.

Alex Reza, Newhall, spoke in support of the motion concerning the events in Arizona and expressed his appreciation for addressing this issue.

Joe Lozano, Mission Hills, is not in favor of opposing SB 1070. He said that opposing the Arizona immigration bill, as other cities have done, pits America against America and blames the Federal government for not doing their job.

Juana Cuiriz, Parks, Wellness, and Recreation Commissioner, reported that the Commission's recommendation was to oppose the Tataviam Tribe MOU which would set a precedent (the City should have first rights).

Debbie Robertson, Sylmar, spoke on behalf of St. Ferdinand's Church, requested assistance from the City including approval of fee waivers for their annual fiesta.

Elvira Orozco, San Fernando, spoke in support of the opposition to SB 1070. She said that cities should not get involved and let the Federal government do their job.

**CONSENT CALENDAR**

Councilmember E. Hernández pulled Item No. 2 and Councilmember Veres removed Item No. 7 for further discussion.

Motion by Mayor M. Hernández, seconded by Councilmember De La Torre, to approve the following Consent Calendar Items:

- 1) APPROVAL OF MINUTES:
  - a) APRIL 19, 2010 – SPECIAL (JOINT) MEETING

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- b) MAY 3, 2010 – REGULAR MEETING
- 3) FISCAL YEAR (FY) 2010-2011 STREET LIGHTING ASSESSMENT DISTRICT APPROVAL OF ENGINEER’S REPORT AND SETTING A DATE FOR THE PUBLIC HEARING
- 4) OFFICE OF EMERGENCY SERVICES DESIGNATION OF APPLICANT’S RESOLUTION FOR NON-STATE AGENCIES
- 5) ARTICLE XIIIIB APPROPRIATIONS (GANN) LIMIT FISCAL YEAR (FY) 2010-2011
- 6) FINAL MAP – PARCEL MAP NO. 67082 – 431 MACNEIL STREET

By consensus, the motion carried.

**Items Removed for Further Discussion:**

- 2) APPROVAL OF WARRANT REGISTER NO. 10-052

Councilmember E. Hernández asked for clarification regarding a music channel charge (\$44.91).

Motion by Councilmember E. Hernández, seconded by Councilmember De La Torre, to approve the Warrant Register with the exception of the above-mentioned charge and that the Finance Manager report back with details regarding that charge. By consensus, the motion carried.

- 7) FOURTH OF JULY CELEBRATION

Councilmember Veres asked staff to explain the budget impact and clarify the discrepancy. Discussion ensued amongst Councilmembers and staff.

Motion by Mayor M. Hernández, seconded by Councilmember Veres, to approve:

- a) The request for the Fourth of July Celebration to be held at San Fernando Recreation Park on Sunday, July 4, 2010 (6:00 a.m. to 10:00 p.m.);
- b) The street closure of Park Ave. at Fourth St. and Jessie St.;
- c) The use of the Bank of America parking structure on Brand Blvd. and Truman St. by the San Fernando Police Explorers to charge for parking;
- d) Authorizing the Mayor to execute the agreement with Pyro Spectaculars for the Fourth of July fireworks show in an amount not to exceed \$18,000; and
- e) That the budget impact not exceed \$1,600.

By consensus, the motion carried.

**CITY COUNCIL ITEM**

*The following items were moved up (under Approval of Agenda).*

11) RESOLUTION AGAINST ARIZONA IMMIGRATION LAW SB1070

Councilmember E. Hernández read the proposed Resolution and discussion ensued amongst Councilmembers.

Motion by Councilmember E. Hernández, seconded by Councilmember Veres, to adopt the Resolution and include the following changes: remove the second to last paragraph (regarding doing business with companies in Arizona) for further discussion in the Budget, Personnel, and Finance (BPF) Standing Committee and agendize at the earliest possible City Council meeting afterwards; add a paragraph stating that the City Council demand that the Federal government have comprehensive immigration reform; and prohibit City staff from traveling to (or through) Arizona while on City business until SB 1070 is repealed.

The motion carried with the following vote:

AYES: E. Hernández, Veres, M. Hernández, De La Torre – 4  
NOES: Esqueda – 1  
ABSTAIN: None

15) STANDING COMMITTEE RECOMMENDATION – TEKWERKS MEMORANDUM OF UNDERSTANDING FOR LIVE BROADCASTING OF CITY COUNCIL AND COMMISSION MEETINGS

Councilmember E. Hernández gave background information on this item and he and Tom Ross (Tekwerks) responded to inquiries.

Motion by Councilmember E. Hernández, seconded by Councilmember Veres, to direct the City Administrator to work with staff and City Attorney’s Office for the purpose of drafting a Memorandum of Understanding with Tekwerks regarding live broadcasting of City Council and Commission meetings and agendize for the first meeting in July (all concerns raised to be addressed in that staff report). The motion carried with the following vote:

AYES: E. Hernández, Veres, Esqueda, M. Hernández – 4  
NOES: De La Torre – 1

**NEW BUSINESS**

8) ST. FERDINAND CATHOLIC CHURCH ANNUAL FIESTA

Mr. Ristau presented the staff report.

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Motion by Councilmember De La Torre, seconded by Councilmember E. Hernández, to:

- a) Approve the request for the St. Ferdinand Catholic Church Annual Fiesta to hold their fiesta on Friday, June 4, 2010 (6:00 p.m. to 12:00 a.m.); Saturday, June 5, 2010 (2:00 p.m. to 12:00 a.m.); and Sunday, June 6, 2010 (10:00 a.m. to 10:00 p.m.); and
- e) Approve the use of 1320 San Fernando Road for the parking of carnival trailers.

By consensus, the motion carried.

**CITY COUNCIL ITEM**

9) SEAMLESS SERVICE WASTE ORDINANCE

Councilmember Veres gave background information regarding this item and discussion ensued amongst Councilmembers.

Motion by Councilmember Veres, seconded by Councilmember E. Hernández, to calendar a Public Hearing of the Seamless Service Waste Ordinance for August 2010 and to allot appropriate staff and City Attorney time (per the estimate provided) necessary to prepare the agenda report. The motion carried with the following vote:

AYES: Veres, E. Hernández, De La Torre – 3  
NOES: M. Hernández, Esqueda – 2

10) STANDING COMMITTEE CONSIDERATION – TATAVIAM TRIBE MEMORANDUM OF UNDERSTANDING (MOU) AND DEVELOPMENT OF STANDARD MOU FOR LONG-TERM USE OF CITY FACILITIES

Mayor M. Hernández gave background information regarding this item and discussion ensued amongst staff and Councilmembers.

Motion by Mayor M. Hernández, seconded by Councilmember Veres, to agendize this item for discussion by the Education, Parks, Arts, Health, Youth and Aging (EPAH) Standing Committee to develop a standard Memorandum of Understanding (MOU) for long-term use of park facilities (i.e. cost, insurance requirements and obligations); and direct the City Attorney and staff to come up with a standard MOU.

By consensus, the motion carried.

12) HIGH SPEED RAIL – UPDATE AND REQUEST TO AGENDIZE AT STANDING COMMITTEE

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Motion by Mayor M. Hernández, seconded by Councilmember De La Torre, to appoint Interim City Administrator Robert Ordelheide as the lead person on this project that will attend all meetings, provide regular updates to the City Council, and if necessary, begin meeting with City property owners that may be impacted.

Councilmember De La Torre requested an amendment to the motion to appoint the Mayor as a City representative too.

The amendment was accepted by Mayor M. Hernández and the motion carried unanimously.

**13) RECREATION & COMMUNITY SERVICES - REQUEST FOR REPAIR LIST**

Motion by Councilmember E. Hernández that the Parks & Wellness Commission oversee putting together a list of items that need to be repaired and present this list to the City Council for further action. There being no second, the motion died.

By consensus, Councilmembers agreed to agendize the repair list and prioritization and look at potential funds (i.e., Quimby Fee) or any other resources available to address these items. Look at it in EPAH first, get staff recommendations in EPAH, then bring before the Council. By consensus the motion carried.

**14) SCOPE FOR STANDING COMMITTEES - CLARIFICATION OF PARKING ISSUES**

In response to Councilmember E. Hernández' question, it was clarified that the Housing, Community & Economic Development and Parking (HCEP) Standing Committee would mitigate parking issues (i.e., citations, enforcement, possible residential parking permit districts, and enforcement). Councilmember E. Hernández will forward the information he has to EPAH Chair Esqueda to address.

**STANDING COMMITTEE UPDATES**

No. 1 Budget, Personnel and Finance (BPF)

Mayor M. Hernández – nothing to report.

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

Councilmember De La Torre – nothing to report.

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

Councilmember Veres – issues already discussed.

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

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Councilmember E. Hernández – issues already discussed.

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

Mayor Pro Tem Esqueda – there will be a meeting next Tuesday.

**GENERAL COUNCIL COMMENTS**

Councilmember De La Torre: 1) reported graffiti (on a bin and wall) as one drives out of the City via Truman St. and graffiti at Hollister and Wolfskill streets (on a public utility box); 2) inquired why advertisements for the lifeguard positions were not posted at the facility and whether Personnel Dept. had notified former lifeguards; and 3) requested that the meeting adjourn in memory of Jorge Nunez Jr.

Councilmember E. Hernández thanked his colleagues for allowing him to place many items on the agenda and he also thanked those that supported Item No. 11.

Councilmember Veres said that as we move forward, it's important to look at the merits of proposals rather than who is agendizing the item/s.

Mayor M. Hernández wished Public Works Director Ron Ruiz a happy birthday.

**STAFF COMMUNICATION**

Mr. Ordelleide: 1) reminded everyone of the upcoming 2010 Plan Amendments community workshop on May 19<sup>th</sup>; 2) reported that the San Fernando Mall Association will have their first PBID meeting on May 25<sup>th</sup> and second meeting on May 27<sup>th</sup>; 3) and the BPF Standing Committee will be meeting (regarding the FY 2010-11 budget) soon.

**ADJOURNMENT (10:52 P.M.)**

By consensus, the meeting was adjourned.

*I do hereby certify that the foregoing is a true and correct copy of the minutes of May 17, 2010 meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez*  
City Clerk