

**SAN FERNANDO CITY COUNCIL
MINUTES**

**SEPTEMBER 21, 2015 – 6:00 P.M.
REGULAR MEETING**

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

CALL TO ORDER/ROLL CALL

Mayor Joel Fajardo called the meeting to order at 6:06 p.m.

Present:

Council: Mayor Joel Fajardo, Vice Mayor Sylvia Ballin, and Councilmembers Robert C. Gonzales, Antonio Lopez, and Jaime Soto

Staff: City Manager Brian Saeki, City Attorney Rick R. Olivarez, Deputy City Attorney Richard Padilla, and City Clerk Elena G. Chávez

PLEDGE OF ALLEGIANCE

Led by Police Explorer Yvonne Gonzales

APPROVAL OF AGENDA

City Manager Saeki requested that Item No.'s 8 and 9 be pulled and postponed, and reported that Item No. 7 would be moved to Administrative Reports.

Motion by Vice Mayor Ballin, seconded by Councilmember Gonzales, to approve the agenda as amended. By consensus, the motion carried.

PUBLIC STATEMENTS – WRITTEN/ORAL

Richard Arroyo thanked Council for the consideration of agenda Item No. 10.

Michael Remenih addressed his comments to Councilmember Soto suggesting that he resign.

Jesse Avila suggested that the City Council approve Item No. 15 because we “cannot afford to go backwards.”

SAN FERNANDO CITY COUNCIL

MINUTES – September 21, 2015

Page 2

Linda Campanella-Jauron spoke in support of Item No. 10 and thanked City Council for adopting the fireworks ordinance and for being vigilant and transparent and continuing to move the City forward in spite of some obstacles.

Michelle Guijarro talked about the charter school and asked why they put up a fence forcing the teachers to use neighborhood street parking and making residents struggle to find parking.

Dee Akemon also talked about how the City has accommodated the charter school, we need the red curbing back, there are four streets impacted and hundreds of cars daily, and LAUSD is not keeping their contract.

CONSENT CALENDAR

Mayor Fajardo reiterated that Item No.'s 8 and 9 were removed from the agenda. Item No.'s 7 and 11 were pulled for further discussion.

Motion by Vice Mayor Ballin, seconded by Councilmember Soto, to approve the remaining Consent Calendar Items:

- 1) REQUEST TO APPROVE MINUTES OF SEPTEMBER 8, 2015 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 15-092 APPROVING THE WARRANT REGISTER
- 3) CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SAN FERNANDO MANAGEMENT GROUP AND ADOPT A RESOLUTION IMPLEMENTING THE EMPLOYER PAID MEMBER CONTRIBUTIONS
- 4) CONSIDERATION TO APPROVE A SIDE LETTER OF AGREEMENT TO THE EXISTING MEMORANDUM OF UNDERSTANDING WITH THE SAN FERNANDO PUBLIC EMPLOYEES' ASSOCIATION AND ADOPT A RESOLUTION IMPLEMENTING THE COST SHARING FOR THE EMPLOYER PAID MEMBER CONTRIBUTIONS
- 5) CONSIDERATION TO ADOPT ORDINANCE NO. 1645 AMENDING ARTICLE III (FIREWORKS) OF CHAPTER 38 (FIRE PREVENTION AND PROTECTION) OF THE CITY CODE TO ADD DIVISION 3 REGARDING LIABILITY AND FINES FOR VIOLATIONS OF THE FIREWORKS ORDINANCE, PURSUANT TO SENATE BILL 839
- 6) CONSIDERATION TO ADOPT AN URGENCY ORDINANCE NO. U-1644 ADDING ARTICLE XII TO CHAPTER 18 (BUILDINGS AND BUILDING REGULATIONS) OF THE CITY CODE RELATING TO EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS AND DECLARING THE URGENCY THEREOF IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36934 AND 36937

SAN FERNANDO CITY COUNCIL

MINUTES – September 21, 2015

Page 3

- 8) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL TO PROVIDE FULL SERVICE ADMINISTRATION AND IMPLEMENTATION OF THE CITY OF SAN FERNANDO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Item removed under Approval of Agenda.

- 9) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH RALPH ANDERSEN & ASSOCIATES TO CONDUCT A COMPREHENSIVE CLASSIFICATION AND COMPENSATION STUDY

Item removed under Approval of Agenda.

- 10) CONSIDERATION TO APPROVE A HISTORIC MATERIALS LOAN AGREEMENT

By consensus, the motion carried.

ADMINISTRATIVE REPORTS

Mayor Fajardo announced that the following items were moved up on the agenda.

- 12) APPOINTMENT TO THE TRANSPORTATION AND SAFETY COMMISSION

Vice Mayor Ballin introduced Dee Akemon and made a motion to appoint Ms. Akemon as her representative to the Transportation and Safety Commission. The motion was seconded by Councilmember Lopez was approved by unanimous consent.

- 13) UPDATE REGARDING TRAFFIC CONDITIONS AND PILOT DROP-OFF ZONE ADJACENT TO VISTA DEL VALLE DUAL LANGUAGE ACADEMY

Deputy City Manager/Public Works Director Chris Marcarello presented the staff report and replied to questions from Councilmembers.

Representatives from both Los Angeles Unified School District and Vista Del Valle Dual Language Academy made comments and replied to questions from Councilmembers.

By consensus, Councilmembers concurred to receive and file the report.

CONSENT CALENDAR (Continued) - Items Pulled for Further Discussion

- 7) PRESENTATION OF MEASURE “A” ANNUAL REPORT

Finance Director Nick Kimball gave the staff report.

By consensus, the 2015 Annual Report on the collection, management, and expenditure of Measure “A”, was received and filed.

SAN FERNANDO CITY COUNCIL

MINUTES – September 21, 2015

Page 4

11) AWARD OF CONTRACT – BRAND BOULEVARD WATERWISE LANDSCAPING,
PROJECT NO. 7591, PLAN NO. 717

Councilmember Lopez reported that he lives within 500 feet of this project and stated that, out of the abundance of caution, he was recusing himself from voting on this item.

At this time, Councilmember Lopez exited the Council Chambers.

Deputy City Manager/Public Works Director Marcarello presented the staff report and replied to questions from Councilmembers.

Motion by Councilmember Gonzales, seconded by Vice Mayor Ballin, to:

- a. Approve plans and specifications for the Brand Boulevard Waterwise Landscaping Project No. 7591;
- b. Accept the lowest responsive bid from KTB Construction for construction of these improvements;
- c. Approve Resolution 7701 approving a budget appropriation for the project and authorizing the City Manager to execute a Construction Contract with KTB Construction (Contract No. 1798) for an amount not to exceed \$348,335; and
- d. Establish an amount of 10% of the contract amount (\$35,000), as a contingency, to cover the cost of unforeseen construction expenses.

By consensus, the motion carried.

ADMINISTRATIVE REPORTS (CONTINUED)

At this time, Councilmember Lopez returned to the Council Chambers.

14) PREPAREDNESS ACTIVITIES FOR PREDICTED EL NIÑO WINTER STORM
EVENTS

City Manager Saeki gave a brief presentation.

Staff members and Los Angeles Fire Dept. Battalion Chief Jack Wise replied to various questions from Councilmembers.

By consensus, staff was directed to include this information in the City's newsletter and Councilmembers concurred to receive and file the report.

15) CONSIDERATION AND APPROVAL OF AUTHORIZATION TO (I) SEEK
INJUNCTIVE AND/OR DECLARATORY RELIEF FOR APPARENT VIOLATIONS OF
GOVERNMENT CODE SECTION 54963(A) OF THE RALPH M. BROWN ACT

SAN FERNANDO CITY COUNCIL

MINUTES – September 21, 2015

Page 5

(GOVERNMENT CODE SECTION 54950 ET SEC.) AND PENAL CODE SECTION 632 BY A MEMBER OF THE CITY COUNCIL; (II) REFER THE SAME VIOLATIONS TO THE LOS ANGELES COUNTY CIVIL GRAND JURY PURSUANT TO GOVERNMENT CODE SECTION 54963(C)(3); AND/OR (III) REFER THE SAME VIOLATIONS TO THE LOS ANGELES COUNTY DISTRICT ATTORNEY FOR POTENTIAL PROSECUTION PURSUANT TO GOVERNMENT CODE SECTION 54960(A)

Deputy City Attorney Richard Padilla presented the staff report and replied to questions from Councilmembers.

Councilmembers each provided their comments.

Motion by Vice Chair Ballin, seconded by Councilmember Lopez, to:

- a. Seek Injunctive and/or Declaratory Relief for Apparent Violations of Government Code Section 54963(a) of the Ralph M. Brown Act (Government Code Section 54950 et sec.) and Penal Code Section 632 by a Member of the City Council;
- b. Refer the Same Violations to the Los Angeles County Civil Grand Jury pursuant to Government Code section 54963(c)(3); and
- c. Refer the Same Violations to the Los Angeles County District Attorney for potential prosecution pursuant to Government Code Section 54960(a).

City Attorney Rick said that prior to the meeting, he spoke with Councilmember Soto and recommended that he not vote on this item.

The motion carried with the following vote:

AYES: Lopez, Ballin, Fajardo, Gonzales – 4
NOES: None
ABSTAIN: Soto – 1

COMMITTEE/COMMISSION LIAISON UPDATES

Councilmember Gonzales gave an update regarding a Los Angeles County Library meeting he attended including upcoming projects and proposed programs.

In response to Vice Mayor Ballin’s request, both City Manager Saeki and Community Development Director Fred Ramirez talked about their experience regarding the recent Metropolitan Water District Colorado River Aqueduct tour. Vice Mayor Ballin also gave a brief update on MWD history and upcoming tours.

GENERAL COUNCIL COMMENTS

Councilmember Gonzales thanked staff for their hard work and for the continuing great projects. He invited everyone to sign up for the upcoming San Fernando 5K Race.

Councilmember Soto reported that he would be attending a tour of the City's water facilities and invited Councilmembers to join.

Vice Mayor Ballin said that Councilmembers have experienced the tour of the City's water wells and she thanked the City Attorney, City Manager, and Department Heads for empowering Councilmembers in trying to make the right decisions. She encouraged her colleagues to reach out to these staff members for their knowledge as they are critical in making decisions.

Mayor Fajardo requested a brief update at the next meeting regarding City Council priorities.

Vice Mayor Ballin requested an update regarding filming at the next meeting.

STAFF COMMUNICATION

City Manager Saeki congratulated the City Council on receiving the COPS Grant; \$125,000 to assist in funding and hiring police officers.

Recreation and Community Services Director Ismael Aguila reminded everyone of the upcoming San Fernando 5K Race and invited all to attend.

ADJOURNMENT (7:59 P.M.)

Motion by Councilmember Gonzales, seconded by Vice Mayor Ballin, to adjourn the meeting. By consensus, the motion carried.

I do hereby certify that the foregoing is a true and correct copy of the minutes of September 21, 2015, meeting as approved by the San Fernando City Council.

Elena G. Chávez
City Clerk