

**SAN FERNANDO CITY COUNCIL  
MINUTES**

**SEPTEMBER 8, 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 6:09 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 Alfredo Mendoza

**APPROVAL OF AGENDA**

City Manager Saeki requested to remove Item No. 3 from the agenda and pulled Item No. 4 (to clear up a clerical error).

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

**PRESENTATION**

The following presentation was made:

- b) COUNCILMEMBER GONZALES PRESENTED A \$1,000 CHECK (REPUBLIC SERVICES COMMUNITY INVESTMENT/RECYCLING REVENUE SHARING FUND)

The following presentation will be tabled to the next meeting:

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- a) CERTIFICATE OF RECOGNITION TO TRANSPORTATION AND SAFETY  
COMMISSIONER PHILLIP BALLIN

**PUBLIC STATEMENTS – WRITTEN/ORAL**

LAFD Battalion Chief Rick Combs gave a brief update regarding Los Angeles Fire Department activities, spoke in support of Item No. 8, and thanked Councilmembers for their support.

Renato Lira said that Mayor Fajardo asked a former Commissioner (that was running for Assembly) to step down from office and not use the City logo and he suggested that Mayor Fajardo do the same.

On behalf of the Police Officers' Association, Police Officer CJ Chiasson said he was present to show support for the City Council and commended them for their positive actions and for beginning to turn the City around.

Linda Campanella-Jauron talked about the positive things that Youth Speak Collective does, spoke in support of Item No. 8, and commended the City Council for considering support the El Super stores boycott.

Dee Akemon is glad the City Council is moving forward on the fireworks issue, talked about "terrible times" during the last recall and said we need to work together as a team.

John Blue talked about a cross-border family extortion case and wondered if the San Fernando Police Dept. (in conjunction with the FBI, Mexican Consulate, and California Attorney General) can put together a Spanish booklet regarding what to do in family extortion cases.

Lydia Flores, Lancaster, employed by El Super, spoke in support of Item No. 11.

Alana Miller spoke in support of Item No. 9 regarding approving a partnership with Youth Speak Collective.

(Male speaker – did not state name) also spoke in support of Item No. 9 regarding Youth Speak Collective.

Lupita Camacho said that businesses in the Downtown Mall are very upset about the filming (and how the City is handling) that is taking place and the numerous problems including loss of business profits and parking issues. She said they pay their permits, voicing their concern, and feel no one is listening.

Mary Mendoza presented a petition signed by San Fernando Downtown Mall merchants requesting that all photography and filming be stopped until the process is revamped, properly overseen, and tenants are properly compensated for loss of income.

Michael Remenih said he was very concerned about Councilmember Soto's actions at the last meeting.

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Ruben Rodriguez, Executive Director of Pueblo y Salud, spoke in support of Item No. 11 regarding boycott of El Super stores.

Jesse H. Avila also spoke in support of (and thanked Council for supporting) both Items No's 9 and 11 on the City Council agenda.

**CONSENT CALENDAR**

Mayor Fajardo reminded everyone that Item No. 3 was removed from the agenda.

Councilmember Soto pulled Item No. 4 and Vice Mayor Ballin pulled Item No. 6 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 AUGUST 17, 2015 – SPECIAL MEETING
- 2) CONSIDERATION TO ADOPT RESOLUTION NO. 15-091 APPROVING THE WARRANT REGISTER
- 5) CONSIDERATION TO APPROVE VEHICLE DONATIONS FROM THE CITY OF VERNON AND PETRELLI ELECTRIC, INC.

By consensus, the motion carried.

**Items Removed for Further Discussion**

- 3) CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH THE SAN FERNANDO MANAGEMENT GROUP AND ADOPT A RESOLUTION IMPLEMENTING THE EMPLOYER PAID MEMBER CONTRIBUTIONS

*Pulled from the agenda.*

- 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

Councilmember Soto stated that he was not in support of this resolution and would like to see a 3% increase (from the General Fund) for the public workers.

Councilmember Lopez said that during the process, negotiating was in good faith and an agreement was reached for the Miscellaneous Group employees and not just Public Works.

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Vice Mayor Ballin said that City Council held very lengthy discussions (a couple of Councilmembers missed some of the Closed Sessions) and suggested that the Resolution be corrected to state that the benefit shall also apply to the unrepresented confidential employees too.

Mayor Fajardo agreed that negotiations were entered in good faith, we have a phenomenal workforce, and he is very proud to have each and every one working for the City.

Finance Director Kimball clarified that the Resolution should read "...6% of normal member contributions" and not 4%.

Both City Attorney Olivarez and City Manager Saeki suggested tabling this to the next meeting, to look into the legal information and clarification.

Motion by Vice Mayor Ballin, seconded by Councilmember Lopez, to table this item to the next meeting. By consensus, the motion carried.

**6) CONSIDERATION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH NEIGHBORHOOD HOUSING SERVICES (NHS) OF LOS ANGELES COUNTY**

In response to Vice Mayor Ballin's request regarding why this item was re-agendized, Community Development Director Fred Ramirez explained that NHS requested revisions regarding the insurance provisions and added language to clarify that any household that goes through the class would pay a fee of \$75.

Motion by Vice Mayor Ballin, seconded by Mayor Fajardo, to:

- a) Approve a Professional Services Agreement (Contract No. 1790) between the City of San Fernando and Neighborhood Housing Services of Los Angeles County to provide the community with access to financial education, affordable mortgage lending, and construction services and management for its "Don't Move-Improve! Program" in order to promote homeownership and the preservation of the City's residential neighborhoods; and
- b) Authorize the City Manager and the City Attorney to take all actions necessary to execute and implement City Contract No. 1790.

By consensus, the motion carried.

**ADMINISTRATIVE REPORTS**

Mayor Fajardo announced that the following item was moved up on the agenda.

**10) APPOINTMENT TO THE PLANNING AND PRESERVATION COMMISSION**

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Councilmember Soto introduced David Bernal and made a motion to appoint him as his representative to the Planning and Preservation Commission as his representative. The motion was seconded by Vice Mayor Ballin and was approved by unanimous consent.

**PUBLIC HEARING**

- 7) CONSIDERATION TO ADOPT AN URGENCY ORDINANCE 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

City Clerk Chávez read the title of the Ordinance and Community Development Director Fred Ramirez presented the staff report and replied to questions from Councilmembers.

Mayor Fajardo opened the Public Hearing and called for public testimony.

Michel Remenih asked if the City had looked into Tesla batteries for solar power.

John Blue said that expediting the process opens up for bad companies to scam people into installing solar panels and asked if there were checks and balances to weed out these companies.

Jesse Avila said that aside from energy savings, it's a cost benefit to add value to residents' homes.

Staff replied to comments made by audience members and City Attorney Olivarez clarified the title of the ordinance.

There being no comments, he closed the public comment portion of the Hearing.

Motion by Mayor Fajardo, seconded by Vice Mayor Ballin, to waive full reading and adopt Urgency Ordinance No. U-1644 by title, "An Urgency Ordinance of the City Council of the City of San Fernando, California, 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".

The motion carried with the following vote:

AYES: Soto, Lopez, Gonzales, Ballin, Fajardo – 5  
NOES: None

**ADMINISTRATIVE REPORTS (CONTINUED)**

- 8) CONSIDERATION TO ADOPT AN ORDINANCE 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

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

Motion by Councilmember Gonzales, seconded by Councilmember Soto, to introduce for a first reading, in title only, Ordinance No. 1645 titled, “An Ordinance of the City Council of the City of San Fernando Amending Article III (Fireworks) of Chapter 38 (Fire Prevention and Protection) of the San Fernando Municipal Code to Add Division 3 (Liability and Penalties for Fireworks Violations) Regarding Liability and Fines for Violations of the Fireworks Ordinance, Pursuant to Senate Bill 839.”

The motion carried with the following vote:

AYES: Gonzales, Soto, Lopez, Ballin, Fajardo – 5  
NOES: None

- 9) CONSIDERATION TO APPROVE PARTNERSHIP WITH YOUTH SPEAK COLLECTIVE

Recreation and Community Services Director Ismael Aguila presented the staff report. Alana Miller, Youth Speak Collective, also made a brief presentation.

Councilmembers made brief comments in support of this item.

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

- a) Approve a City partnership with Youth Speak Collective; and
- b) Authorize the City Manager to execute a Non-Exclusive License Agreement with Youth Speak Collective (Contract No. 1795).

By consensus, the motion carried.

- 11) DISCUSSION PERTAINING TO EL SUPER MARKETS BOYCOTT AND A RESOLUTION IN SUPPORT OF THE WORKERS, FAIR WAGES, AND PRODUCTIVE WORK ENVIRONMENT

City Manager Saeki presented the staff report. Councilmember Gonzales and Ruben Rodriguez, Pueblo y Salud, provided additional information regarding this item.

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Councilmembers made brief comments in support of this item.

Motion by Councilmember Gonzales, seconded by Mayor Fajardo, to adopt Resolution No. 7700 regarding endorsement of El Super Boycott. By consensus, the motion carried.

**COMMITTEE/COMMISSION LIAISON UPDATES**

Councilmember Gonzales gave an update regarding the Independent Cities Association and Library Commission meetings.

Councilmember Lopez also gave updates regarding the Southern California Association of Governments and Metro Service Council meetings that he attended.

Vice Mayor Ballin reported that, as Director to the Metropolitan Water District Board, she is hosting a Colorado River Aqueduct inspection trip beginning Friday to Sunday.

**GENERAL COUNCIL COMMENTS**

Mayor Fajardo said that he attended a grand opening of a business in the Downtown Mall and said that there are three additional businesses that will be opening soon (the City will continue to work hard at being business friendly). He thanked audience members for attending the meeting and for sharing their opinions.

Councilmember Gonzales reminded everyone of the upcoming 5K Relay and Chili Festival events and said he's looking forward the good positive things coming up.

Councilmember Soto thanked Councilmembers that showed up for the City's 104<sup>th</sup> birthday event and in response to a public speaker's comment, wrote down reference material information for the individual to research.

Vice Mayor Ballin said she wasn't able to attend the City's birthday event because she's spending time with her grandchildren who will be moving to Palo Alto very soon. She also expressed concern regarding the issues taking place with the filming companies and the losses to small businesses.

**STAFF COMMUNICATION**

Recreation and Community Service Director Aguila reminded everyone that the Providence Holy Cross Healthy San Fernando 5K Relay Walk/Run was only two weeks away.

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**ADJOURNMENT (8:24 P.M.)**

Motion by Councilmember Gonzales, seconded by Councilmember Lopez, 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 8, 2015, meeting as approved by the San Fernando City Council.*

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*Elena G. Chávez*  
*City Clerk*