

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE
CITY OF VERNON HELD TUESDAY, JULY 12, 2016, IN THE
COUNCIL CHAMBER OF THE CITY HALL LOCATED AT 4305
SANTA FE AVENUE, VERNON, CALIFORNIA

MEMBERS PRESENT: Davis, Woodruff-Perez, Martinez, Ybarra, and Lopez

MEMBERS ABSENT: None

The meeting was called to order at 9:01 a.m. by Mayor Davis; Mayor Davis led the flag salute.

CHANGES TO THE AGENDA

City Clerk Maria Ayala announced that Item No. 13 would be moved to the beginning of the New Business section of the Agenda.

PUBLIC COMMENT

Mayor Davis announced that this was the time allotted for public comment, and inquired whether anyone in the audience wished to address the City Council. The public will also be given an opportunity to comment on matters on the posted agenda during Council deliberation.

John Van de Kamp, Independent Special Council, encouraged Council to ask questions on agenda items. He also implored Council to provide reasoning and possibly additional direction to staff when either dissenting or agreeing on items. Mr. Van de Kamp also gave a brief update on the vacancy rate of industrial real estate in the City of Vernon.

Dean Richens, President of Vernon Fireman Association Local 2312, gave a brief overview of the Vernon Fire Department and the labor negotiations that took place.

Gavin Villarreal, Historian, briefly spoke about a historical battle site in Vernon during the Mexican-American War. Noted that the monument in Vernon is in severe disrepair and wanted to bring it to the attention of the Council.

PRESENTATIONS

1. Proclamation: Recognition of Retired City Council Member – W. Michael McCormick

Presented by: Carlos Fandino, City Administrator

Carlos Fandino, City Administrator, presented the proclamation to W. Michael McCormick.

Mayor Davis congratulated Mr. McCormick on his service and presented Mr. McCormick with an encased City Flag.

Police Chief Calleros congratulated Mr. McCormick and thanked him for his 40+ years of service to the City.

W. Michael McCormick accepted the proclamation and flag, and thanked the Council for the recognition.

John Van de Kamp, Independent Special Council, congratulated Mr. McCormick.

Kim Tachiki-Chin, Senior Field Deputy for Congresswoman Lucille Roybal-Allard, presented a letter of recognition from the Congresswoman to Mr. McCormick.

CONSENT CALENDAR

It was moved by Ybarra and seconded by Woodruff-Perez to approve all matters listed under the Consent Calendar under one motion as presented. Motion carried, 5-0.

Mayor Davis recessed the meeting at 9:27 a.m.

The meeting reconvened at 9:41 a.m.

Claims Against the City – Received and Filed

2. None

Minutes – To be Received and Filed

3. Minutes of the Regular City Council Meeting held April 19, 2016.
4. Minutes of the Regular City Council Meeting held May 3, 2016.
5. Minutes of the Regular City Council Meeting held May 17, 2016.

Warrant Registers

6. **Approval of City Warrant Register No. 1451, totaling \$985,326.86, which covers the period of June 14 through June 27, 2016, and consists of the following:**
 - A. Ratification of wire transfers totaling \$472,469.90; and
 - B. Ratification of the issuance of early checks totaling \$449,991.29; and
 - C. Authorization to issue pending checks totaling \$62,865.67; and
 - D. Voided check No. 351494 totaling \$18.40.
7. **Approval of Light & Power Warrant Register No. 416, totaling \$6,346,869.12, which covers the period of June 14 through June 27, 2016, and consists of the following:**
 - A. Ratification of wire transfers totaling \$6,228,891.79; and
 - B. Ratification of the issuance of early checks totaling \$112,200.18; and
 - C. Authorization to issue pending checks totaling \$5,777.15.
8. **Approval of Gas Warrant Register No. 204, totaling \$884,840.04, which covers the period of June 14 through June 27, 2016, and consists of the following:**
 - A. Ratification of wire transfers totaling \$834,815.43; and
 - B. Ratification of the issuance of early checks totaling \$37,925.83; and
 - C. Authorization to issue pending checks totaling \$12,098.78.

City Administration Department

9. **Report on Fiscal Year 2015/2016 Docket IV Grants Awarded by Vernon CommUNITY Fund Grant Committee**

Recommendation:

- A. Receive and file this report as it is being provided for informational purposes only pursuant to Section 2.167(e) of the Vernon Municipal Code.

Fire Department

10. **Activity Report for the period of May 16 through May 31, 2016.**

11. Activity Report for the period of June 1 through June 15, 2016.

Police Department

12. Activity Log and Statistical Summary of Arrests and Activities for the period of June 1, through June 15, 2016, to be received and filed

Public Works, Water and Development Service Department

14. Amendment No. 3 to an Agreement with Kronick Moskowitz Tiedemann & Girard for Legal Services Related to the Vernon Village Park Development Project

Recommendation:

- A. Find that approval of the proposed amendment to the Kronick Moskowitz Tiedemann & Girard Agreement is exempt from California Environmental Quality Act (CEQA) review, because it is an administrative activity that will not result in direct or indirect physical changes in the environment, and therefore is not a “project” as defined by CEQA Guidelines, Section 15378; and
- B. Authorize the Mayor to execute Amendment No. 3 to the Kronick and Moskowitz Tiedemann & Girard Agreement dated November 20, 2012, increasing the maximum fees by \$6,000 for a total not-to-exceed cost of \$116,000.

NEW BUSINESS

Public Works, Water and Development Service Department

13. Approval of an Implementation Agreement with Gateway Cities Council of Governments (GCCOG) for the Atlantic Avenue/Boulevard Corridor Study

Recommendation:

- A. Find that the proposed action is statutorily exempt from California Environmental Quality Act (“CEQA”) review, in accordance with CEQA Guidelines § 15262, because the project only involves feasibility or planning studies for possible future actions which the City has not approved, adopted, or funded; and
- B. Authorize the City Administrator to execute the Implementation Agreement between the City of Vernon and the Gateway Cities Council of Governments (the “Agreement”), for the Atlantic Avenue/Boulevard Corridor Study; and
- C. Appoint a member of the City Council to the Atlantic Avenue/Boulevard Corridor Studies Committee.

Director of Public Works, Water and Development Services Department Wieske reported on the proposed.

Woodruff-Perez volunteered to serve on the Atlantic Avenue/Boulevard Corridor Studies Committee.

It was moved by Ybarra and seconded by Martinez to authorize the City Administrator to execute the agreement and to appoint Woodruff-Perez to serve on the Atlantic Avenue/Boulevard Corridor Studies Committee. Motion carried, 5-0.

Human Resources Department

15. Resolution No. 2016-36 - A Resolution of the City Council of the City of Vernon Approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Firemen’s Association for the Period of July 1, 2016 through June 30, 2019

Recommendation:

- A. Find that the adoption of the resolution approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Firemen's Association proposed in this staff report is exempt under the California Environmental Quality Act ("CEQA") review, because it is an administrative action that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines section 15378; and
- B. Adopt the attached resolution approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Firemen's Association for the period of July 1, 2016 through June 30, 2019.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Martinez and seconded by Woodruff-Perez to approve the Memorandum of Understanding by and between the City of Vernon and the Vernon Firemen's Association. Motion carried, 5-0.

16. Resolution No. 2016-37 - A Resolution of the City Council of the City of Vernon Approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Fire Management Association for the Period of July 1, 2016 through June 30, 2019

Recommendation:

- A. Find that the adoption of the resolution approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Fire Management Association proposed in this staff report is exempt under the California Environmental Quality Act ("CEQA") review, because it is an administrative action that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines section 15378; and
- B. Adopt the attached resolution approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Fire Management Association for the period of July 1, 2016 through June 30, 2019.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Woodruff-Perez and seconded by Martinez to approve the Memorandum of Understanding by and between the City of Vernon and the Vernon Fire Management Association. Motion carried, 5-0.

17. Resolution No. 2016-38 - A Resolution of the City Council of the City of Vernon Approving Amendment No. 2 to the Vernon Police Officers' Benefit Association 2014-2017 Memorandum of Understanding

Recommendation:

- A. Find that approval of the proposed Amendment No. 2 to the Vernon Police Officers' Benefit Association 2014-2017 Memorandum of Understanding is exempt under the California Environmental Quality Act ("CEQA") review, because it is an administrative action that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines section 15378; and

- B. Adopt the attached resolution approving Amendment No. 2 to the Vernon Police Officers' Benefit Association 2014-2017 Memorandum of Understanding to amend the following provisions:
 - 1) Article Two, Section 2, Term
 - 2) Article Three, Section 3, Merit Steps
 - 3) Article Three, Section 4, Salary Adjustment Increase
 - 4) Article Seven, Section 4, Cafeteria Plan
 - 5) Article Seven, Section 6, Vision Plan
 - 6) Article Seven, Section 8, Retiree's Medical.

- C. Authorize the City Administrator and Director of Human Resources to execute the attached Amendment No. 2 to the 2014-2017 Memorandum of Understanding between the City of Vernon and employees represented by the City of Vernon Police Officers' Benefit Association.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Woodruff-Perez and seconded by Ybarra to approve Amendment No. 2 to the Vernon Police Officers' Benefit Association 2014-2017 Memorandum of Understanding.
Motion carried, 5-0.

18. Resolution No. 2016-39 - A Resolution of the City Council of the City of Vernon Approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Police Management Association for the Period of July 1, 2016 through June 30, 2019

Recommendation:

- A. Find that the adoption of the resolution approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Police Management Association proposed in this staff report is exempt under the California Environmental Quality Act ("CEQA") review, because it is an administrative action that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines section 15378; and

- B. Adopt the attached resolution approving the Memorandum of Understanding by and between the City of Vernon and the Vernon Police Management Association for the period of July 1, 2016 through June 30, 2019.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Martinez and seconded by Lopez to approve the Memorandum of Understanding by and between the City of Vernon and the Vernon Police Management Association.
Motion carried, 5-0.

19. Resolution No. 2016-40 - A Resolution of the City Council of the City of Vernon Approving the Memorandum of Understanding by and between the City of Vernon and the Teamsters Local 911 for the Period of July 1, 2016 through June 30, 2019

Recommendation:

- A. Find that the adoption of the resolution approving the Memorandum of Understanding by and between the City of Vernon and Teamsters Local 911 proposed in this staff report is exempt under the California Environmental Quality Act ("CEQA") review, because it is an administrative action that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines section 15378; and

- B. Adopt the attached resolution approving the Memorandum of Understanding by and between the City of Vernon and Teamsters Local 911 (“Teamsters”) for the period of July 1, 2016 through June 30, 2019.

City Administrator Carlos Fandino reported on the proposed.

Councilmember Ybarra asked what the cap is for the double time was, City Administrator Fandino answered the maximum cap being 24 hours for double time.

It was moved by Ybarra and seconded by Martinez to approve the Memorandum of Understanding by and between the City of Vernon and Teamsters Local 911. Motion carried, 5-0.

20. Resolution No. 2016-41 - A Resolution of the City Council of the City of Vernon Approving the Memorandum of Understanding by and between the City of Vernon and the International Brotherhood of Electrical Workers Local 47 for the Period of July 1, 2016 through June 30, 2019

Recommendation:

- A. Find that the adoption of the resolution approving the Memorandum of Understanding by and between the City of Vernon and the International Brotherhood of Electrical Workers Local 47 proposed in this staff report is exempt under the California Environmental Quality Act (“CEQA”) review, because it is an administrative action that will not result in direct or indirect physical changes in the environment, and therefore does not constitute a “project” as defined by CEQA Guidelines section 15378; and
- B. Adopt the attached resolution approving the Memorandum of Understanding by and between the City of Vernon and the International Brotherhood of Electrical Workers Local 47 (“IBEW”) for the period of July 1, 2016 through June 30, 2019.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Martinez and seconded by Woodruff-Perez to approve the Memorandum of Understanding by and between the City of Vernon and Teamsters Local 911. Motion carried, 5-0.

ORAL REPORTS

21. City Administrator Reports – brief reports on activities and other brief announcements by the City Administrator and Department Heads.

Police Chief Daniel Calleros reported on the following: June 27th fireworks seizure on the 3100 block Fruitland Avenue; update on a previously reported hit and run, suspect was recently extradited from Alabama; July 6 Farmer John demonstration; Police Department Pink Patch Project for breast cancer awareness month; and thanked VPOBA for their help.

Police Captain Michael Gillman reported on the following: no reports of graffiti or vandalism; Mayor Davis reported graffiti on the west side of Boyle Avenue; and City Administrator Carlos Fandino reported graffiti on a business near the north side of Leonis Boulevard.

Fire Chief Mike Wilson reported on the following: Groundbreaking ceremony after the Council meeting; the Verdugo dispatch transition; brief update on the Maywood fire; Department overtime report; 3 new employees completed the 6th month exams; other trainings; and the recent fireworks seizure.

Mayor Pro-Tem Woodruff-Perez wanted to know if the Council could still listen to emergency dispatch calls. Fire Chief Wilson responded that new radios would be provided to Council.

Director of Public Works, Water and Development Services Derek Wieske reported on the following: Smaller cities addition to the upcoming Measure R; slurry seal project completion;

Regional fire training center project; housing remodel project; completed minor repair projects; meetings with local developers; and an engineer will be leaving to assume a new position at another City.

Director of Finance Bill Fox reported that the external auditor will begin next week; and, Alex Kung, Economic Development Manager, is leaving to assume a new position at another City.

Interim Director of Health and Environmental Control Lewis Pozzebon also gave an update on the Maywood fire and ash contamination; reported on the Exide lead contamination samples; the general information provided to residents; and the coordinated outreach effort.

Director of Human Resources Isaac Garibay thanked the Council for their support throughout the labor negotiations process.

City Clerk Maria Ayala reported on the fully functional QR code and it being posted throughout City Hall and the community.

City Administrator Carlos Fandino reported on the following: Chief Wilson's retirement on December 15th, a recruitment process will soon begin; employee appreciation BBQ; fire training center groundbreaking ceremony; Vernon Gas and Electric Director interviews; latest issue of the Vernon Quarterly; and thanked the Council for approval of the MOU's.

22. City Council Reports – brief report on activities, announcements, or directives to staff.

Mayor Pro-Tem Woodruff-Perez directed Human Resources to work with the City Administrator and the City Attorney, to explore the possibility of hiring a Director of Public Safety, in lieu of a Fire Chief and a Police Chief. She requested information to include a cost saving study, the legalities, ethical issues, and recruitment possibilities. Requested a timeline of the report progress.

Director of Human Resources Isaac Garibay responded he would provide a timeline to Council on the requested report at the 2nd meeting in August.

Mayor Davis recessed the meeting at 10:37 a.m. and reconvened at 10:45 a.m.

CLOSED SESSION

At 10:45 a.m., the City Council entered into closed session to discuss the following agenda items:

23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a)

Name of Case: City of Vernon vs. Citigroup Energy Inc., et al.

United States District Court

Southern District of New York Case No. CV16-2405

24. PUBLIC EMPLOYMENT

Government Code Section 54957(b)(1)

Title: Director of Gas & Electric

Closed session matters were recessed and reconvened at 11:00 a.m. at a different location, Conference Room No. 1, for further discussion.

At 12:12 p.m., the City Council exited closed session from Conference Room No. 1. City Attorney Hema Patel announced that two items were discussed and that there was no reportable action from closed session.

With no further business, at 12:12 p.m., Mayor Davis adjourned the meeting.

William J. Davis
Mayor

ATTEST:

Maria E. Ayala
City Clerk