

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE
CITY OF VERNON HELD TUESDAY, JULY 19, 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 9:00 a.m. by Mayor Davis; Mayor Pro-Tem Woodruff-Perez led the flag salute.

CHANGES TO THE AGENDA

No changes to 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.

Congresswoman Lucille Roybal-Allard, 40th District of California, thanked the Council for their support of her annual art competition. She presented Council with a framed print of the winning entry.

John Van de Kamp, Independent Special Council, recognized the Congresswoman for her commitment to and continued support of Vernon.

PRESENTATIONS

- 1. California Highway Patrol, “CHP “10851” Grand Theft Auto Recovery Award” presented to Police Officers Gustavo Herrera and Luis Vasquez**
Presented by: CHP Representative(s) and Vernon Police Department, Chief Daniel Calleros

Police Chief Daniel Calleros introduced the two award recipients, and briefly spoke about the merits of their award.

CHP Captain Paul Medeiros presented Police Officers Gustavo Herrera and Luis Vasquez with the awards.

- 2. Service Pin Awards for June 2016**

NAME	DEPARTMENT	TITLE	YEARS
William J. Davis	Council	Mayor	35
David P. LeDuff	Health	Chief Deputy Director of Environmental Health	15
Kent M. Stevenson Jr.	Police	Police Officer	15
Jose M. Ramos	Police	Police Officer	15
Michael E. Shehata	City Administration/IT Division	Information Technology Analyst	5

Director of Human Resources Isaac Garibay presented the services awards to the following employees who were in attendance: William J. Davis, David P. LeDuff, and Michael E. Shehata.

3. Update on the State Budget and Legislation

Presented by: Senator Ricardo Lara, California's 33rd Senate District

Senator Ricardo Lara, California's 33rd Senate District, provided a PowerPoint Presentation.

CONSENT CALENDAR

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

Claims Against the City – Received and Filed

4. None

Warrant Registers

5. Ratification of the following Light & Power Warrant Registers to record the following voided checks:

A. Light & Power Warrant Register No. 392 to record voided Check No. 511482 in the amount of \$51.90.

6. Approval of City Payroll Warrant Register No. 721, totaling \$2,818,603.29, which covers the period of June 1 through June 30, 2016 and consists of the following:

A. Ratification of direct deposits, checks and taxes totaling \$1,918,141.15; and

B. Checks and electronic fund transfers (EFT) totaling \$900,462.14.

7. Approval of City Warrant Register No. 1452, totaling \$3,015,458.42, which covers the period of June 28 through July 11, 2016, and consists of the following:

A. Ratification of wire transfers totaling \$1,657,415.12; and

B. Ratification of the issuance of early checks totaling \$832,399.92; and

C. Authorization to issue pending checks totaling \$525,643.38.

8. Approval of Light & Power Warrant Register No. 417, totaling \$721,919.57, which covers the period of June 28 through July 11, 2016, and consists of the following:

A. Ratification of wire transfers totaling \$548,367.33; and

B. Ratification of the issuance of early checks totaling \$172,052.74; and

C. Authorization to issue pending checks totaling \$1,499.50.

9. Approval of Gas Warrant Register No. 205, totaling \$184,904.27, which covers the period of June 28 through July 11, 2016, and consists of the following:

A. Ratification of wire transfers totaling \$91,010.35; and

B. Ratification of the issuance of early checks totaling \$93,893.92.

City Administration

10. Council Conference Attendance Report

Recommendation:

- A. Receive and file this Council Conference Attendance Report for the Independent Cities Association 56th Annual Summer Seminar.

Gas and Electric Department

11. Award of Bid and Purchase Contract to Schneider Electric, Inc. for Furnishing and Delivering Medium Voltage Vacuum Circuit Breakers for the Vernon Gas & Electric Department (Bid Specification #CB16-2016-1)

Recommendation:

- A. Find that approval of the proposed purchase of 16 KV circuit breakers is exempt from California Environmental Quality Act (CEQA) review, because such purchase is a continuing administrative activity 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 that even if such purchase were a project, it would be categorically exempt in accordance with CEQA Guidelines section 15301, because it consists of the maintenance, repair, or minor alteration of existing equipment and involves negligible or no expansion of an existing use. The equipment referenced herein merely replaces older equipment and improves electric system efficiency and reliability in Vernon; and
- B. Accept that Schneider Electric, Inc. was the lowest responsive and responsible bidder for bid specification #CB16-2016-1, relating to the purchase of 16 KV Medium Voltage Vacuum Circuit Breakers for Leonis Substation; and
- C. Award bid and authorize the Purchasing Department to issue one purchase order contract for a two (2) year term to Schneider Electric, Inc. for a grand total amount, not to exceed, \$235,693.37, including taxes; and
- D. Reject all other bids.

12. Award of Bid and Purchase Contract to Schneider Electric, Inc. for Furnishing and Delivering Medium Voltage Vacuum Circuit Breakers for the Vernon Gas & Electric Department (Bid Specification #CB7-2016-2)

Recommendation:

- A. Find that approval of the proposed purchase of 7 KV circuit breakers is exempt from California Environmental Quality Act (CEQA) review, because such purchase is a continuing administrative activity 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 that even if such purchase were a project, it would be categorically exempt in accordance with CEQA Guidelines section 15301, because it consists of the maintenance, repair, or minor alteration of existing equipment and involves negligible or no expansion of an existing use. The equipment referenced herein merely replaces older equipment and improves electric system efficiency and reliability in Vernon; and
- B. Accept that Schneider Electric, Inc. was the lowest responsive and responsible bidder for bid specification #CB7-2016-2, relating to the purchase of 7 KV Medium Voltage Vacuum Circuit Breakers for Leonis Substation; and
- C. Award bid and authorize the Purchasing Department to issue one purchase order contract for a two (2) year term to Schneider Electric, Inc. for a grand total amount, not to exceed, \$63,971.50 including taxes; and
- D. Reject all other bids

Human Resources

13. Approving and Authorizing Amendment No. 1 to the Services Agreement for Health Benefit Consulting Services with Alliant Insurance Services, Inc. for a Ninety (90) Day Extension

Recommendation:

- A. Find that approval of the proposed ninety (90) day extension for a Services Agreement for Health Benefit Consulting Services with Alliant Insurance Services, Inc. is exempt from California Environmental Quality Act (“CEQA”) review, because it is a continuing administrative activity 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. Find that, pursuant to Council’s authority under Vernon Municipal Code § 2.17.12(B)(2) and for the reasons set forth in this staff report, “the best interests of the City are served by a direct award [extension] of the contract without a competitive selection process”; and
- C. Approve and authorize the execution of Amendment No. 1 for a ninety (90) day extension of a Services Agreement with Alliant Insurance Services, Inc. and the City of Vernon for Health Benefit Consulting Services for a not to exceed amount of \$18,500, and commencing June 18, 2016 and not to exceed ninety (90) days.

Police Department

14. Activity Log and Statistical Summary of Arrests and Activities for the period of June 16, through June 30, 2016, to be received and filed.

Public Works, Water and Development Services Department

15. Building Department Report for the Month of June 2016

16. Master Encroachment Agreement No. 423 with XO Communications Services, LLC for Construction, Installation and Maintenance of a network of Telecommunications Facilities

Recommendation:

- A. Find that the approval of the Master Encroachment Agreement (the “Agreement”) is exempt under the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and
 - B. Approve Master Encroachment Agreement No. 423 between the City of Vernon and XO Communications Services, LLC, in substantially the same form as submitted herewith.
- ### **17. Approval of Amendments to Contracts with Jason Addison Smith Consulting Services Inc., (JAS Pacific) and Interwest Consulting Group Inc. for On-Call Building Plan Check and Inspection Services**

Recommendation:

- A. Find that approval of the proposed amendment to the Agreement with Jason Addison Smith Consulting Services Inc., (JAS Pacific) and the proposed amendment to the Agreement with Interwest Consulting Group Inc., are 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 City Administrator to execute a third amendment to the Agreement with JAS Pacific dated June 13, 2013, extending the contract for an additional three months, with no increase to the not-to-exceed cost of \$50,000; and
- C. Authorize the City Administrator to execute a third amendment to the Agreement with Interwest Consulting Group Inc. dated June 13, 2013, extending the contract for an additional three months, with no increase to the not-to-exceed cost of \$50,000.

NEW BUSINESS

City Administration Department

18. Approval of an Amendment No. 1 to the Services Agreement with Jemmott/Rollins Group, Inc. for Management Assistance of the Vernon CommUNITY Fund

Recommendation:

- A. Find that approval of the amendment proposed in this staff report is exempt from the California Environmental Quality Act (“CEQA”), because it is a government fiscal activity 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. Pursuant to Section 2.17.30(B) of the Vernon Municipal Code (VMC) and the City Council’s authority under VMC § 2.17.12(B)(3), find that it is commercially unreasonable to rebid the professional services contract for management assistance of the Vernon CommUNITY Fund at this time, and that it is in the best interest of the City to extend the current Services Agreement with Jemmott/Rollins Group, Inc. for the reasons set forth in this staff report; and
- C. Approve and authorize the City Administrator to execute an Amendment No. 1 to the Services Agreement with Jemmott/Rollins Group, Inc. for management assistance of the Vernon CommUNITY Fund, in substantially the same form as submitted herewith, for a period of ten months, effective September 1, 2016, at an amount not to exceed \$125,000.00.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Ybarra and seconded by Lopez to approve Amendment No. 1 the Services Agreement with Jemmott/Rollins Group, Inc. Motion carried, 5-0.

Health and Environmental Control Department

19. Resolution No. 2016-42 - Ratifying the Execution of an Application for the 2016/2017 Used Oil Payment Program

Recommendation:

- A. Find that the adoption of the resolution is exempt under the California Environmental Quality Act (CEQA), because it is an administrative activity that does not constitute a “project” under CEQA Guidelines section 15378, and even if it were a “project,” it would be exempt in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment; and
- B. Adopt a resolution ratifying the execution of an application to receive and spend grant funds under the Used Oil Payment Program (OPP Cycle 7) FY 2016-2017

with State of California Department of Resources Recycling and Recovery (CalRecycle).

Interim Director Lewis Pozzebon reported on the proposed.

It was moved by Martinez and seconded by Woodruff-Perez to approve Resolution No. 2016-42. Motion carried, 5-0.

Human Resources Department

20. Resolution No. 2016-43 - A Resolution of the City Council of the City of Vernon Adopting an Amended and Restated Citywide Fringe Benefits and Salary Resolution in Accordance with Government Code Section 20636(b)(1) and Repealing All Resolutions in Conflict Therewith

Recommendation:

- A. Find that the adoption of the Amended Citywide Fringe Benefits and Salary resolution proposed in this staff report is exempt under the 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 does not constitute a “project” as defined by CEQA Guidelines section 15378; and
- B. Adopt the attached resolution amending and restating the Citywide Fringe Benefits and Salary Resolution, effective July 1, 2016 to reflect the following provisions:
 - 1) Amend Exhibit A, Classification and Compensation Plan
 - 2) Amend Section 4, Compensatory Time
 - 3) Amend Section 11, Automobile Allowance and Reimbursement for Expenses
 - 4) Amend Section 12, Health Insurance
 - 5) Amend Section 13, Dental Insurance
 - 6) Amend Section 14, Vision Insurance
 - 7) Amend Section 17, CalPERS Retirement Plan
 - 8) Amend Section 18, Retiree Medical Insurance

City Administrator Carlos Fandino reported on the proposed.

It was moved by Ybarra and seconded by Martinez to approve Resolution No. 2016-43. 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: July 26th peaceful protest vigil at Farmer John; continued peaceful protests at Farmer John; July 13th Southeast traffic collision team; and the Vernon Police Department was selected as a recipient of a traffic enforcement grant.

Police Captain Michael Gillman reported on the July 18th arrest of vandalism suspect on the 2600 block of 26th street.

Fire Chief Mike Wilson reported on the ground breaking ceremony at Fire Station 1 and the Department receiving additional UASI grant funds.

Director of Public Works, Water and Development Services Derek Wieske reported on the following: I-710 Aesthetics Committee; the notices for the water rate increase been mailed; and the public hearing for the water rate increases currently scheduled for the August 16th Council meeting.

Assistant Finance Director Masami Higa reported on the Independent Audit.

City Administrator Carlos Fandino gave a brief update on the hiring of the new Director of Gas and Electric.

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

No reports provided by Council.

Mayor Davis recessed the meeting at 9:43 a.m. and reconvened at 9:44 a.m.

CLOSED SESSION

At 9:44 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)

- 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
- b. Name of Case: Jerrick Torres and Lyndon Ong Yiu vs. City of Vernon, et al.
Los Angeles Superior Court
Case No. BC620265

24. PUBLIC EMPLOYMENT

Government Code Section 54957(b)(1)

Title: Director of Gas & Electric

At 10:29 a.m. the City Council exited closed session. City Attorney Hema Patel announced that 3 items were discussed and there was no reportable action from closed session.

With no further business, at 10:30 a.m., Mayor Davis adjourned the meeting.

William J. Davis
Mayor

ATTEST:

Maria E. Ayala
City Clerk