

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE
CITY OF VERNON HELD TUESDAY, SEPTEMBER 6, 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 Davis; Ybarra led the flag salute.

CHANGES TO THE AGENDA

City Clerk Maria Ayala announced that there were 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.

Sandra Orozco, Southeast Political Activist, commended the City and the Fire Department for good governance and great response. Recommended the City comply with ADA regulations and make adjustments to City Hall.

PRESENTATION

1. Independent Special Counsel Report - July 31, 2016

Presented by: John Van de Kamp, Independent Special Counsel

John Van de Kamp, Independent Special Counsel, provided a summarized oral report of the July 31st report, highlighting various areas, and explaining his recommendations.

Mr. Van de Kamp requested feedback from City Council, asking for City Council's individual views on goals and priorities for the City. Each Councilmember responded accordingly.

Ms. Orozco spoke about the differences between this City Council and other City Councils, expressing that there is room for improvement in every City. Encouraged City Council to listen to Mr. Van de Kamp's advice.

CONSENT CALENDAR

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

Davis: Yes

Woodruff-Perez: Yes

Martinez: Yes

Ybarra: Yes

Lopez: Yes

Claims Against the City – Received and Filed

2. None

Warrant Registers

3. Ratification of the following City Warrant Register to record the following voided:

- A. City Warrant Register No. 1452 to record voided Check No. 351684 in the amount of \$16,523.10; and

- B. City Warrant Register No. 1454 to record voided Check No. 351969 in the amount of \$2,000.00.
- 4. Approval of City Warrant Register No. 1455, totaling \$1,635,570.95, which covers the period of August 9 through August 29, 2016, and consists of the following:**
- A. Ratification of wire transfers totaling \$713,418.18; and
 - B. Ratification of the issuance of early checks totaling \$456,771.89; and
 - C. Authorization to issue pending checks totaling \$465,380.88.
- 5. Approval of Light & Power Warrant Register No. 420, totaling \$8,845,470.15, which covers the period of August 9 through August 29, 2016, and consists of the following:**
- A. Ratification of wire transfers totaling \$8,558,134.20; and
 - B. Ratification of the issuance of early checks totaling \$169,618.64; and
 - C. Authorization to issue pending checks totaling \$117,717.31.
- 6. Approval of Gas Warrant Register No. 208, totaling \$1,724,614.11, which covers the period of August 9 through August 29, 2016, and consists of the following:**
- A. Ratification of wire transfers totaling \$1,680,175.91; and
 - B. Ratification of the issuance of early checks totaling \$16,637.20; and
 - C. Authorization to issue pending checks totaling \$27,801.00.

City Administration Department

- 7. Report on FY 2016/2017 Docket I 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.
- 8. Approval of a new Enterprise License Agreement (ELA) with Microsoft**
- Recommendation:**
- A. Find that the approval of the proposed agreement with Microsoft 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 does not constitute a “project” as defined by CEQA Guidelines section 15378; and
 - B. Approve a new Enterprise License Agreement (ELA) with Microsoft in an amount not to exceed \$173,612.10 for a period of three years from October 1, 2016 through September 30, 2019.
- 9. Approval of Support and Maintenance Agreement with Advanced Utility Systems**
- Recommendation:**
- A. Find that the approval of a Support and Maintenance Agreement with Advanced Utility Systems 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 does not constitute a “project” as defined by CEQA Guidelines section 15378; and

- B. Approve a new Support and Maintenance Agreement with Advanced Utility Systems in an amount of \$36,412.92 per year, for a period of 3 years from July 1, 2016 through June 30, 2019. (The Support and Maintenance Agreement with Advanced Utility Systems is exempt from competitive bidding and competitive selection under the sole source exemption outlined in Section 2.17.12(A)(2) of the Vernon Municipal Code.)

Fire Department

- 10. Activity Report for the period of August 1 through August 15, 2016**

Health and Environmental Control Department

- 11. July 2016 Health & Environmental Control Department Monthly Report**

Police Department

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

NEW BUSINESS

City Administration Department

- 13. Resolution No. 2016-50 - A Resolution of the City Council of the City of Vernon Appointing Keith Allen to Serve as the Director of Health & Environmental Control of the City of Vernon and Approving and Authorizing the Execution of a Related At-Will Employment Agreement**

Recommendation:

- A. Find that approval of the attached resolution in this staff report is exempt from California Environmental Quality Act (CEQA) review, because it is a general 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 appointing Keith Allen to serve as the Director of Health & Environmental Control of the City of Vernon effective September 19, 2016, approving and authorizing the execution of a related at-will employment agreement.

City Administrator Carlos Fandino reported on the proposed.

It was moved by Ybarra and seconded by Lopez to adopt the resolution appointing Keith Allen to serve as the Director of Health & Environmental Control of the City of Vernon. Motion carried, 5-0.

Davis: Yes
Woodruff-Perez: Yes
Martinez: Yes
Ybarra: Yes
Lopez: Yes

Health and Environmental Control Department

- 14. Green Vernon Commission – Ratification of Selection of Commissioners to Commission**

Recommendation:

- A. Find that approval of the proposed ratification of the selection of commissioners to the Green Vernon Commission does not constitute a “project” pursuant to section 15378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”), because it constitutes an administrative activity in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and
- B. Approve the ratification of the appointment of the following individuals to the Green Vernon Commission to serve four-year terms each, commencing July 1, 2016 - June 30, 2020:

Name	Position
James A. Andreoli, Jr	Business Representative
Jose Lizarraga	Business Representative
Hector J. Garcia	Environmental Representative
Armando S. Espinoza	Labor Representative

Interim Director of Health and Environmental Control Lewis Pozzebon reported on the proposed.

It was moved by Ybarra and seconded by Woodruff-Perez to approve the appointment to the Green Vernon Commission. Motion carried, 5-0.

Davis: Yes
Woodruff-Perez: Yes
Martinez: Yes
Ybarra: Yes
Lopez: Yes

ORAL REPORTS

- 15. 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: Aug. 19th DUI checkpoint; Aug 21st shots fired near Boyle and Randolph Street; and a Aug. 29th demonstration at Farmer John with further demonstrations planned.

Police Captain Michael Gillman reported an Aug. 19th vandalism on the 4200 block of District Avenue. Mayor Davis noted graffiti on the east side of Boyle Avenue.

Battalion Chief Andrew Guth reported on the following: a crew was dispatched to the Paso Robles “chimney” fire; patient care provided at 2959 50th Street; and the two newly acquired City fire engines.

Director of Public Works, Water and Development Derek Wieske announced the upcoming Gateway Cities meeting and the Vernon Housing Commission meeting.

Director of Gas and Electric Kelly Nguyen reported on the following: outages through the City; possible telephone scam; possible customer outreach effort in October; and a letter from customer giving kudos.

Director of Finance Bill Fox reported on the Moody’s bond agency rating and external auditors.

Interim Director of Health and Environmental Control Lewis Pozzebon reported on the new Director coming on board and issues with loose dogs in the City.

Interim Director of Human Resources Lisette Grizzelle announced the Employee Health and Wellness Fair scheduled for September 15.

City Clerk Maria Ayala reported on the LA County Civil Grand Jury adjustments; forthcoming enhancements to public meeting procedures; voter registration outreach; and announced the upcoming annual AB1234 training session that will also include information on the Public Records Act and Brown Act.

City Administrator Carlos Fandino provided a brief report on the following: informational meeting for capital grants; LA Legacy ground breaking ceremony; Sabor de Mexico event; Human Resources recruitment; and the Fire Chief's upcoming retirement.

16. City Council Reports – brief AB1234 reports, or report on: activities, announcements, or directives to staff.

No reports provided.

Mayor Davis recessed the meeting at 10:11 a.m. and reconvened at 10:21 a.m.

CLOSED SESSION

At 10:21 a.m., the City Council entered into closed session to discuss the following agendized items:

17. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (3)**
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
- C. Name of Case: Francisco A. Alvarado v. LMX Logistics, Ltd., et al.
Los Angeles County Superior Court
Case No. BC619196

At 10:39 a.m. the City Council exited closed session. City Attorney Hema Patel announced that three items were discussed and there was no reportable action from closed session.

With no further business, at 10:39 a.m., Mayor Davis adjourned the meeting.

William J. Davis
Mayor

ATTEST:

Maria E. Ayala
City Clerk