

MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE
CITY OF VERNON HELD TUESDAY, OCTOBER 04, 2016, IN THE
COUNCIL CHAMBER OF THE CITY HALL LOCATED AT 4305
SANTA FE AVENUE, VERNON, CALIFORNIA

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

MEMBERS ABSENT: Martinez

The meeting was called to order at 9:00 a.m. by Mayor Davis; Councilmember 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, spoke briefly about her health, ADA compliance within the City, and the possibility of her becoming a resident.

CONSENT CALENDAR

Councilmember Ybarra requested item number 13 be moved as the first item of New Business.

It was moved by Ybarra and seconded by Lopez to approve all matters listed under the Consent Calendar, except item number 13, under one motion as presented. Motion carried, 3-0-1.

Davis: Yes

Woodruff-Perez: Abstention

Martinez: Absent

Ybarra: Yes

Lopez: Yes

Claims Against the City – Received and Filed

1. None

Minutes – To be Received and Filed

2. Minutes of the Regular City Council Meeting held September 6, 2016
3. Minutes of the Regular City Council Meeting held September 20, 2016

Warrant Registers

4. Ratification of the following City Warrant Register to record the following voided checks:
 - A. City Warrant Register No. 1449 to record voided Check No. 351073 in the amount of \$53.26; and
 - B. City Warrant Register No. 1456 to record voided Check No. 352305 in the amount of \$137.41; and
 - C. City Warrant Register No. 1429 to record voided Check No. 348224 in the amount of \$300.00; and

- D. City Warrant Register No. 1449 to record voided Check No. 351340 in the amount of \$100.00.
- 5. Approval of City Warrant Register No. 1457, totaling \$875,704.97, which covers the period of September 13 through September 26, 2016, and consists of the following:**
- A. Ratification of wire transfers totaling \$526,492.39; and
 - B. Ratification of the issuance of early checks totaling \$188,956.39; and
 - C. Authorization to issue pending checks totaling \$160,256.19.
- 6. Approval of Light & Power Warrant Register No. 422, totaling \$6,235,383.22, which covers the period of September 13 through September 26, 2016, and consists of the following:**
- A. Ratification of wire transfers totaling \$6,195,440.85; and
 - B. Ratification of the issuance of early checks totaling \$16,102.69; and
 - C. Authorization to issue pending checks totaling \$23,839.68.
- 7. Approval of Gas Warrant Register No. 210, totaling \$1,500,528.57, which covers the period of September 13 through September 26, 2016, and consists of the following:**
- A. Ratification of wire transfers totaling \$1,492,585.49; and
 - B. Ratification of the issuance of early checks totaling \$2,778.18;
 - C. Authorization to issue pending checks totaling \$5,164.90.

Fire Department

- 8. Activity Report for the period of August 16 through August 31, 2016.**
- 9. Activity Report for the period of September 1 through September 15, 2016.**
- 10. Approval of First Amendment to Agreement Number C-123991 of City of Los Angeles Contract between the City of Los Angeles and the City of Vernon in Connection with the Fiscal Year 2013 Urban Areas Security Initiative Grant Program**

Recommendation:

- A. Find that approval of the amendment proposed is exempt from California Environmental Quality Act (“CEQA”) review, 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. Approve the First Amendment to Agreement Number C-123991 of City of Los Angeles Contract between the City of Los Angeles and the City of Vernon in connection with the Fiscal Year 2013 Urban Areas Security Initiative (“2013 UASI”) grant program and authorize the Mayor to execute all necessary documents.

Health and Environmental Control Department

- 11. August 2016 Monthly Report**

Police Department

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

NEW BUSINESS

Public Works, Water and Development Services Department

13. Bid Award for Liner Installation and Rehabilitation of Water Production Well No. 11, Contract No. CS-0716.

Recommendation:

- A. Find that the proposed Liner Installation and Rehabilitation of Water Production Well No. 11 Project is exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301, subsections (b) and (d), because the project involves negligible or no expansion of use beyond that existing at the lead agency's determination; and
- B. Accept the bid from General Pump Company, Inc., as the lowest responsive and responsible bidder for the Liner Installation and Rehabilitation of Water Production Well No. 11 Project and reject all other bids; and
- C. Approve and authorize the City Administrator to execute a contract in the amount of \$347,000 with General Pump Company, Inc., for the Liner Installation and Rehabilitation of Water Production Well No. 11 for a period not to exceed ninety (90) calendar days and;
- D. Authorize a contingency amount of \$35,000 in the event an unexpected changed condition in the project occurs and grant authority to the City Administrator to issue change orders for an amount up to the contingency amount.

Director of Public Works, Water and Development Services Department Derek Wieske introduced the item.

Public Works and Water Superintendent Scott Rigg reported on the proposed.

Ybarra inquired as to the conditions of the other wells. Superintendent Rigg responded stating that other wells were not in need of major repairs.

Mayor Davis inquired to the amount of wells in the City. Superintendent Rigg responded stating the City had a total of 8 wells.

It was moved by Ybarra and seconded by Lopez to approve. Motion carried, 3-0-1.

Davis: Yes

Woodruff-Perez: Abstention

Martinez: Absent

Ybarra: Yes

Lopez: Yes

Finance Department

14. Resolution No. 2016-52 - A Resolution of the City Council of the City of Vernon Adopting an Updated Investment Policy for Fiscal Year 2016-2017

Recommendation:

- A. Find that the proposed action 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.

- B. Adopt a Resolution of the City Council of the City of Vernon adopting an Updated Annual Statement of Investment Policy for fiscal year 2016-2017 and delegating Investment Authority to the Finance Director/City Treasurer

Director of Finance William Fox reported on the proposed.

It was moved by Ybarra and seconded by Lopez to approve Resolution No. 2016-52. Motion carried, 3-0-1.

Davis: Yes

Woodruff-Perez: Abstention

Martinez: Absent

Ybarra: Yes

Lopez: Yes

Human Resources Department

15. Resolution No. 2016-53 - Approval of a Resolution 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:

Items A-C:

- A. Find that approval of the attached resolution in this staff report 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. Adopt the resolution amending and restating the Citywide Fringe Benefits and Salary Resolution, with a retroactive effective date of July 10, 2016 for the following provisions under section one below:
 - 1) Amend Exhibit A, Classification and Compensation Plan by adding the following:
 - a. Fire Administrative Analyst
 - b. Executive Legal Secretary
 - c. Principal Resource Scheduler/Trader
 - d. Stormwater and Special Projects Analyst revised pay grade
- C. Adopt the resolution amending and restating the Citywide Fringe Benefits and Salary Resolution, with an effective date of October 4, 2016 for the following provisions under section one through three below:
 - 1) Amend Exhibit A, Classification and Compensation Plan with revisions to the Economic Development Manager, Human Resources Analyst, Legal Secretary, and Resource Scheduler job descriptions.
 - 2) Amend Exhibit A, Classification and Compensation Plan by adding the following:
 - a. Environmental Health Intern
 - b. Public Information Officer
 - c. Reserve Police Officer
 - 3) Amend Section 11 Automobile Allowance

Interim Director of Human Services Lizette Grizzelle reported on the proposed.

It was moved by Lopez and seconded Ybarra by to approve the Resolution No. 2016-53. Motion carried, 3-0-1.

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

Public Works, Water and Development Services Department

16. Authorization to Proceed with the Remodel of a Second Housing Unit for the City Housing Remodel Project and Authorize Staff to Offer a Permanent Relocation Opportunity to All Tenants in Non-Remodeled Units

Recommendation:

- A. Find that the actions recommended in this staff report do not constitute a “project” pursuant to section 15378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”), because such recommendations constitute an administrative activity; and even if the adoption of the proposed items did constitute a project, it would be exempt from CEQA 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. Authorize staff to proceed with the remodeling of a second housing unit for the City Housing Remodel Project for an estimated total cost of \$140,000; and
- C. Authorize staff to proceed with offering a permanent relocation opportunity to tenants in non-remodeled City-owned housing units; and
- D. Approve the establishment of a Permanent Relocation Priority Interest List to be used for the City Housing Remodel Project. The list would remain in effect until all units are remodeled.

Councilmember Ybarra suggested sections C and D of the item be removed from the recommendation and be placed on the Vernon Housing Commission Agenda.

Director Wieske reported on the proposed.

Council and staff deliberated on the ADA compliance, the process of the remodeling, and the possibility of the Housing Commission making the decision.

Public Comment

Ms. Orozco spoke of the importance of being ADA compliant.

John Van de Kamp, Independent Counsel, clarified the suggestion by Ybarra to move sections C and D of item 16 to the Vernon Housing Commission.

It was moved by Ybarra and seconded by Lopez to remove section C and D from item 16, to be considered on the Vernon Housing Commission, and authorize staff to proceed with the remodeling of a second housing unit for the City Housing Remodel Project. Motion carried, 3-0-1.

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

17. Recommendation from the Vernon Housing Commission to sell two (2) City-owned housing properties located in the City of Huntington Park

Recommendation:

- A. Find that the action recommended by the Vernon Housing Commission in this staff report does not constitute a “project” pursuant to section 15378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”), because such action constitutes an administrative activity; and even if the adoption of the proposed item did constitute a project, it would be exempt from CEQA 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 and authorize the sale of the following two (2) remaining City-owned housing units in the City of Huntington Park at fair market value:
 - a. 6010 Oak Street; and
 - b. 2915 E. 60th Place
- C. Authorize staff to designate the proceeds from the sale of the two Huntington Park units for expenditures solely related to the City’s existing housing stock.

Director Wieske reported on the proposed.

A dialogue ensued between Councilmember Ybarra and Director Wieske about the relocation of effected tenants.

A dialogue ensued between Council and staff about where the sale funds will be deposited, how they would be tracked, and how it would be spent.

A dialogue ensued between Councilmember Lopez and staff about the remodel and relocation logistics.

Councilmember Ybarra requested a formal survey be done to gage the tenant’s feelings towards temporary or permanent relocation. Director Wieske said that the surveys would be mailed out to the effected tenants.

Mayor Davis recommended moving item number 17 to the first meeting in November.

Council reached a consensus to table the item until the November 1, 2016 regular City Council Meeting.

ORAL REPORTS

18. 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: continued Farmer John protests; homeless outreach; coffee with a cop event; and the Sabor de Mexico Lindo event.

Fire Battalion Chief Andrew Guth gave a brief report on the Sabor de Mexico Lindo event.

Director of Public Works, Water and Development Services Derek Wieske provided a brief update on Gateway Cities meeting on Measure M and development activity in the City.

Director of Health and Environmental Control Keith Allen provided a brief report on community Exide outreach and the Sabor de Mexico Lindo event.

Mayor Davis inquired about the cleanup efforts for residents with high levels of lead. Director Allen explained that the DTSC was currently evaluating what properties needed cleanup.

City Administrator Carlos Fandino provided a brief report on the following: League of Cities conference; the Sabor de Mexico Lindo event; and thanked all staff who contributed to making the event happen.

City Clerk Maria Ayala briefly reported on the City booth at the the Sabor de Mexico Lindo event.

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

No reports provided.

Mayor Davis recessed the meeting at 10:22 a.m. and reconvened at a.m.

CLOSED SESSION

At 10:22 a.m., the City Council entered into closed session to discuss the following agendized items:

- 20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (2)**
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

It was moved by Ybarra and seconded by Lopez to approve Resolution No. 2016-54, approving and authorizing the execution of a revised credit support agreement and ancillary documents by and between the City of Vernon and Citygroup Energy, INC. Motion carried, 4-0.

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

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

- 21. PUBLIC EMPLOYMENT**
Government Code Section 54957(b)(1)

Title: Director of Human Resources

At 11:30 a.m. the City Council exited closed session. City Attorney Hema Patel announced that three items were discussed and reported out that Resolution No. 2016-54 was passed in closed session.

With no further business, at 11:30 a.m., Mayor Davis adjourned the meeting.

William J. Davis
Mayor

ATTEST:

Maria E. Ayala
City Clerk