



**Agenda
City of Vernon
Regular Vernon Housing Commission
Meeting
Wednesday, March 11, 2020, 06:00 PM
City Hall, Council Chamber
4305 Santa Fe Avenue
Vernon, California**

**Frank Gaviña, Chair
Steven Froberg, Vice Chair
Ronit Edry, Commissioner
Jorge Nevarez Jr., Commissioner
Marlene Ybarra, Commissioner
Melissa Ybarra, Commissioner
Vacant, Commissioner**

CALL TO ORDER

FLAG SALUTE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

At this time the public is encouraged to address the Vernon Housing Commission on any matter that is within the subject matter jurisdiction of the Commission. The public will also be given a chance to comment on matters which are on the posted agenda during Commission deliberation on those specific matters.

PRESENTATION

1. Public Works

[City Housing Quarterly Report](#)

Recommendation:

No action required by the Commission. This is a presentation only.

[1. City Housing Quarterly Report March 2020](#)

CONSENT CALENDAR

All matters listed on the Consent Calendar are to be approved with one motion. Items may be removed from the Consent Calendar by any member of the Commission. Those items removed will be considered immediately after the Consent Calendar.

2. City Clerk

[Approval of Minutes](#)

Recommendation:

Approve the December 11, 2019 Regular Vernon Housing Commission meeting minutes.

[1. December 11, 2019 VHC Minutes](#)

NEW BUSINESS

3. Public Works

[Procedures for Tenants under First Responder Priority](#)

Recommendation:

Consider the City's Procedures for Tenants under First Responder Priority.

[1. Procedures for Tenants under First Responder Priority](#)

ORAL REPORTS

Brief reports, announcements, or directives to staff.

ADJOURNMENT - NEXT REGULAR MEETING: WEDNESDAY, JUNE 10, 2020, AT 6:00 P.M.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Vernon City Hall, located at 4305 Santa Fe Avenue, Vernon, California, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda. Dated this 5th day of March, 2020.

By: _____/s/_____
Sandra Dolson, Administrative Secretary

Vernon Housing Commission Agenda Item Report

Agenda Item No. COV-105-2020
Submitted by: Daniel Wall
Submitting Department: Public Works
Meeting Date: March 11, 2020

SUBJECT

City Housing Quarterly Report

Recommendation:

No action required by the Commission. This is a presentation only.

Background:

Staff will present the City Housing Quarterly Report for the period from December 2019 through February 2020. The report consists of financial highlights including rents and expenditures, an update on ongoing remodel, and summary of calls received.

Fiscal Impact:

There is no fiscal impact associated with this report.

Attachments:

1. [City Housing Quarterly Report March 2020](#)

Vernon Housing Commission



City Housing Quarterly Report

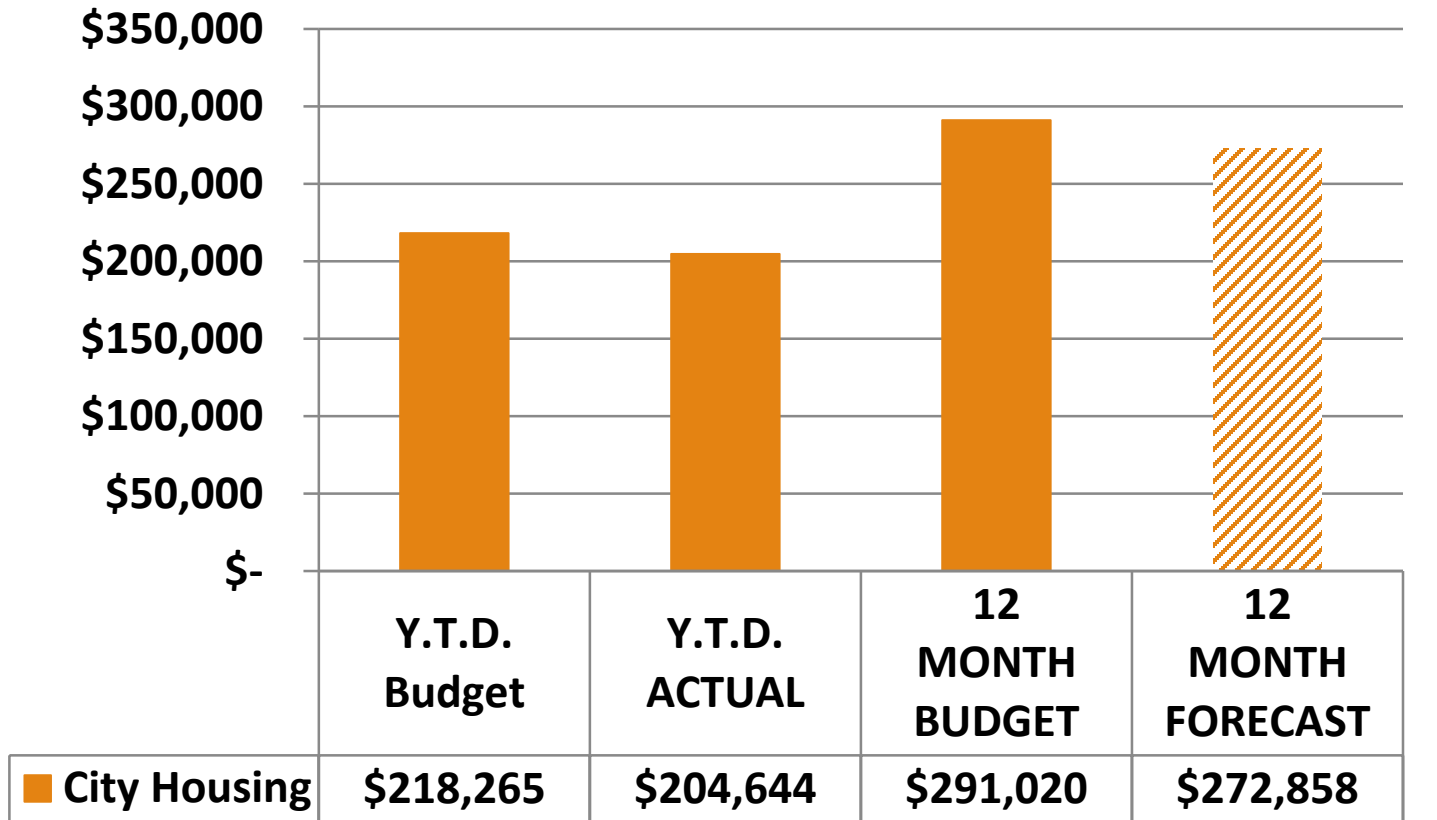
March 11, 2020

Financial Highlights

December through February

- **7 late payments.**
- **5 late fees were assessed and paid in full.**
- **2 late fee remains outstanding**
- **Rent for one home not being collected due to lease termination proceedings.**

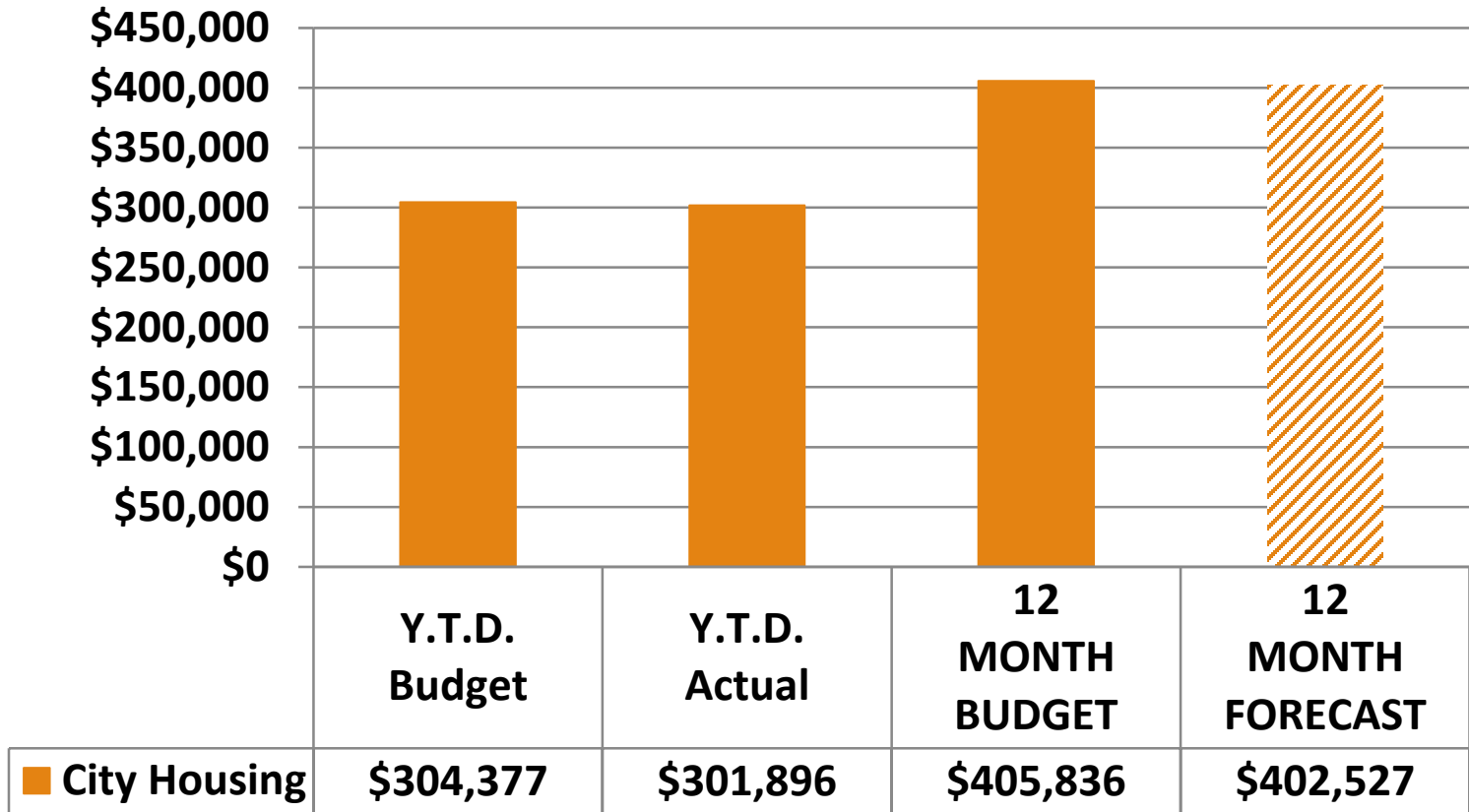
2019-2020 Fiscal Year Revenue



(\$13,621)
Variance

(\$18,162)
Variance

2019-2020 Fiscal Year Operating Expenditures



(\$2,481)
Variance

\$(3,309)
Variance

Schedule of Rents February 2020

Unit359	Unit Type	Baths	11/1/19 Rent	Move in Date	Lease Term	First Responder
3376 E. 50th	2bd-apt	1	847.39	09/01/2017	Month to Month	N
3378 E. 50th	2bd-apt	1	847.39	5/1/2013	Month to Month	N
3380 E. 50th	1bd-apt	1	702.96	1/22/2008	Month to Month	N
3382 E. 50th	1bd-apt	1	1,160	5/24/2019	ANNUAL	N
3384 E. 50th	1bd-apt	1	1,250	N/A	VACANT	N
3386 E. 50th	1bd-apt	1	702.96	7/1/2010	Month to Month	N
3388 E. 50th	2bd-apt	1	839	12/1/2018	Month to Month	N
3390 E. 50th	2bd-apt	1	847.39	2/15/2013	Month to Month	Y
3345 Fruitland	3bd-hous	2	1,175.64	8/1/2012	Month to Month	N
3349 Fruitland	2bd-hous	1	1,043	2/7/2019	ANNUAL	N
3353 Fruitland	3bd-hous	1	1,125.14	02/01/2017	Month to Month	N
3357 Fruitland	3bd-hous	1	1,125.14	07/22/2019	Annual	N
3361 Fruitland	3bd-hous	1	2,170	N/A	VACANT - Renovation	
3365 Fruitland	2bd-hous	1	923.14	3/1/2013	Month to Month	N
3550 Vernon	3bd-hous	1	1,125.14	3/2/2010	Month to Month	N
3560 Vernon	2bd-hous	1	994.85	11/1/2008	Month to Month	N
4321 Furlong	3bd-hous	1	1,000	2/1/2019	Month to Month	N
4322 Furlong	3bd-hous	1	1081.71	10/2/2008	Month to Month	N
4323 Furlong	2bd-hous	1	1,021.11	2/1/2018	Month to Month	N
4324 Furlong	2bd-hous	1	862.54	4/26/2010	Month to Month	N
4325 Furlong	2bd-hous	1	854	2/1/2019	ANNUAL	N
4326 Furlong	2bd-hous	1	934.25	2/1/2008	Month to Month	N
4327 Furlong	2bd-hous	1	934.25	6/1/2013	Month to Month	N
4328 Furlong	2bd-hous	1	862.54	8/1/2012	Month to Month	N
4329 Furlong	3bd-hous	1	1,071	9/1/2018	Month to Month	N
4330 Furlong	3bd-hous	1	1,099.89	8/1/2012	Month to Month	N

Advertising & Housing Interest Forms

Quarterly Advertising for December 2019

- Craigslist
- City Website
- City Hall Bulletin Board
- Fire Department First Responders
- Police Department First Responders
- Chamber of Commerce

Housing Interest Forms received (December – February 20):

- 3 valid applications (55 total from January 19 to February)
- Unit transfer requests received = 0 (3 total from January 19 through February 20)

Summary of Calls Received

Service Month	# of Inquiries	Types of Calls Received				Avg. Days To Address
		Repairs	Questions	Complaints	Other	
December	4	4	0	0	0	1
January	0	0	0	0	0	N/A
February	1	1	0	0	0	1
Totals	5	5	0	0	0	1

QUESTIONS?

Vernon Housing Commission Agenda Item Report

Agenda Item No. COV-15-2020
Submitted by: Sandra Dolson
Submitting Department: City Clerk
Meeting Date: March 11, 2020

SUBJECT

Approval of Minutes

Recommendation:

Approve the December 11, 2019 Regular Vernon Housing Commission meeting minutes.

Background:

Staff has prepared draft minutes and hereby submits the minutes for approval.

Fiscal Impact:

There is no fiscal impact associated with this report.

Attachments:

1. [December 11, 2019 VHC Minutes](#)

**MINUTES
VERNON HOUSING COMMISSION
REGULAR MEETING
WEDNESDAY, DECEMBER 11, 2019
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER & FLAG SALUTE

Vice Chair Ybarra called the meeting to order at 6:00 p.m. and led the Flag Salute.

ROLL CALL

PRESENT: Ronit Edry
Frank Gaviña, Chair
Jorge Nevarez Jr.
Marlene Ybarra
Melissa Ybarra

ABSENT: Steven Froberg, Vice Chair

ELECTION

1. Election of Chairperson and Vice Chairperson

Recommendation:

- A. Find that election of a chair and vice chair 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;
- B. Elect one member to serve as Chairperson until the Annual Election; and
- C. Elect one member to serve as Vice Chairperson until the Annual Election.

MOTION

Vice Chair Melissa Ybarra moved and Commissioner Nevarez seconded a motion to elect Frank Gaviña to serve as Chair. The question was called and the motion carried 5-0, Vice Chair Froberg absent.

MOTION

Commissioner Marlene Ybarra moved and Chair Gaviña seconded a motion to elect Steven Froberg to serve as Vice Chair. The question was called and the motion carried 5-0, Vice Chair Froberg absent.

CHANGES TO THE AGENDA

City Clerk Pope announced that Public Comments would be taken prior to Closed Session.

PUBLIC COMMENT

Marisa Olguin, Vernon Chamber of Commerce President, welcomed the new Commissioners and thanked staff for briefing the Commission on the Dennis Roberts case.

CLOSED SESSION

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

City of Vernon v. Dennis Roberts, et al., Los Angeles Superior Court Case No. 19NWUD02332

RECESS

Chair Gaviña recessed the meeting to Closed Session at 6:08 p.m. The meeting reconvened at 6:28 p.m. with Vice Chair Froberg absent.

Senior Deputy City Attorney Byun reported that the Commission discussed the Closed Session Item and no reportable action was taken.

CONSENT CALENDAR

MOTION

Commissioner Melissa Ybarra moved and Commissioner Nevarez seconded a motion to approve the Consent Calendar. The motion carried 5-0, Vice Chair Froberg absent.

The Consent Calendar consisted of the following items:

- 3. Vernon Housing Commission Minutes**
Recommendation: Approve the June 12, 2019 Regular Vernon Housing Commission meeting minutes.
- 4. Report on Housing Lotteries Held During the Period of June 1, 2019 to August 31, 2019**
Recommendation:
 - A. Find that the action recommended in this staff report does not constitute a “project” pursuant to Section 45378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”) because such recommendations constitute an administrative activity; and even if the proposed action does 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. Receive and file a report on the housing lotteries held between June 1, 2019 and August 31, 2019.

NEW BUSINESS

5. Approval of Proposed Amendments to and Repeal of Various Procedures and Form of Standard Lease

Recommendation:

- A. Find that the actions recommended in this staff report do not constitute “projects” pursuant to Section 15378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”), because such recommendations constitute administrative activity;
- B. Adopt the proposed amended Procedure Regarding Lessee/Authorized Occupant Relocation and related Unit Transfer Request Form;
- C. Adopt the proposed amended Procedures Regarding Impermissible Subletting or Assigning of Housing Units;
- D. Adopt the proposed amendments to the standard form of Lease;
- E. Repeal the Procedures for Tenants under First Responder Priority; and
- F. Recommend the proposed amendments to Vernon Municipal Code section 2.125(b) for adoption by the Vernon City Council.

Public Works Director Wall presented the staff report.

In response to Commission questions, Public Works Director Wall explained the purpose of repealing the first responder policy. City Administrator Fandino discussed City employed first responders and the lack of interest from businesses for first responder housing.

Ms. Olguin suggested contacting businesses to determine the need for first responder housing.

Diana Gonzales asked if her son could remain in his home if something happened to her or her husband, the lessees.

Elizabeth Hull, Legal Counsel, Best Best & Krieger, explained lease provisions when tenants vacate.

The Commission discussed housing for first responders and terms of leases.

Commissioner Melissa Ybarra suggested revising the lease to include first responders; asking business interest in first responder housing; changing the cap for first responder priority to one fire, one police, and one business; and possibly changing the definition of first responder.

MOTION

Commissioner Melissa Ybarra moved and Commissioner Marlene Ybarra seconded a motion to continue Recommendations E. Repeal of the Procedures for Tenants under First Responder Priority; and F. Recommendation on the proposed amendments to Vernon Municipal Code section 2.125(b) for adoption by the Vernon City Council to allow staff to

conduct a survey of businesses on interest in first responder housing. The question was called and the motion carried 5-0, Vice Chair Froberg absent.

MOTION

Commissioner Melissa Ybarra moved and Commissioner Edry seconded a motion to: A. Find the actions exempt under CEQA; B. Adopt the proposed amended Procedure Regarding Lessee/Authorized Occupant Relocation and related Unit Transfer Request Form; C. Adopt the proposed amended Procedures Regarding Impermissible Subletting or Assigning of Housing Units; and D. Adopt the proposed amendments to the standard form of Lease. The motion carried 5-0, Vice Chair Froberg absent.

DISCUSSION ITEMS AND POSSIBLE DIRECTIVES TO STAFF

6. Non-Separately Metered Utilities

Recommendation:

- A. Find that the proposed action 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 15378; and
- B. Provide direction on the apportionment of non-separately metered utility cost to tenants.

Public Works Director Wall presented the staff report and requested Commission direction on whether to apportion the metered utility cost on units or number of bedrooms.

MOTION

Commissioner Melissa Ybarra moved and Commissioner Nevarez seconded a motion to find the action exempt under CEQA and recommend apportionment of non-separately metered utility cost to tenants based on the number of bedrooms. The motion carried 5-0, Vice Chair Froberg absent.

ORAL REPORTS

City Administrator Fandino distributed the December 2019 City of Vernon Resident Newsletter.

ADJOURNMENT

Chair Gaviña adjourned the meeting at 7:24 p.m.

FRANK GAVIÑA, Chair

ATTEST:

LISA POPE, City Clerk
(seal)

Vernon Housing Commission Agenda Item Report

Agenda Item No. COV-541-2019
Submitted by: Daniel Wall
Submitting Department: Public Works
Meeting Date: March 11, 2020

SUBJECT

Procedures for Tenants under First Responder Priority

Recommendation:

Consider the City's Procedures for Tenants under First Responder Priority.

Background:

At its December 11, 2019 meeting, the Commission considered approval of proposed amendments to, repeal of various procedures and the form of the standard lease. The Commission adopted the proposed amended procedure regarding lessee/authorized occupant relocation and related unit transfer request form; proposed amended procedures regarding impermissible subletting or assigning of housing units; and proposed amendments to the standard form of lease. The Commission continued the recommendation to repeal the procedures for tenants under first responder priority in order to allow staff to conduct a survey of the businesses regarding the interest in first responder housing.

Staff contacted several businesses and the Chamber of Commerce to determine the usefulness and interest for first responder priority. Staff will present its findings and requests direction from the Commission.

Fiscal Impact:

There is no fiscal impact associated with this report.

Attachments:

- [1. Procedures for Tenants under First Responder Priority](#)

Vernon Housing Commission
Procedures for Tenants under First Responder Priority
Adopted September 9, 2015

Pursuant to Ordinance 1183, as amended, and the Vernon Rental Housing Policy (“VRHP”), the Vernon Housing Commission (“VHC”) hereby adopts the following procedures to address issues relating to leasees who benefited from a priority on the City housing waiting list because of their “first responder” status.

Recitals

A. The VHC is committed to managing its housing stock according to “best practices” for private, residential housing. The VRHP requires that all procedures be “neutral, fair and reasonable.”

B. Under the existing policies and procedures governing the subject housing stock, certain “first responders” are given a priority on the City’s housing waiting list solely because of their first responder status.

C. Since the initial implementation of the first responder priority procedure, certain questions and concerns have arisen with respect to this priority status that require clarification.

D. The VHC desires to adopt additional procedures with respect to leasees who have benefited from a first responder priority status that are “neutral, fair and reasonable.” The VHC recognizes that there must be a balance between the public policy which supports the first responder priority status and the VHC’s commitment to and obligation to all other leasees and prospective leasees.

Procedures

1. Certification and Annual Re-certification of First Responder Status.

a. Initial Certification. Before any prospective leasee is given a first responder priority status on the City’s housing waiting list, the City must verify that the prospective leasee is indeed a “first responder” as defined by VHC procedures. At least the following steps shall be undertaken to verify the status of a prospective leasee:

- i. Any prospective leasee desiring to benefit from a first responder priority shall promptly provide the City with all information reasonably requested by the City to verify his/her status.
- ii. Thereafter, the City shall use all reasonable efforts to verify such status accurately and promptly. If the City is unable to verify the status to the City’s reasonable satisfaction, the City shall notify the prospective leasee in writing of this fact, and if

appropriate, request additional information to assist the City in verifying the status.

- iii. If additional information is requested, the prospective leasee shall provide it promptly and the City shall evaluate it. This interactive process shall continue until either the City can verify the first responder status, the prospective leasee fails to provide additional information, or the City concludes that the prospective leasee does not qualify for first responder status.
- iv. At the end of this process, the City shall notify the prospective leasee in writing as to its conclusion.
- v. The ultimate burden of producing sufficient documentation and information to support a finding of first responder status shall remain with the prospective leasee.
- vi. Any communication required to be in writing may be communicated via email to the last known email address of the prospective leasee.

b. Annual Re-Certification: Because of the public policy behind providing first responders with a priority in obtaining City-owned housing, if a current leasee was given a first responder priority at any time and benefited from that priority in obtaining his/her current housing unit, either directly (initial move-in into the unit) or indirectly (housing transfer), the leasee must certify on an annual basis that the leasee remains a qualified first responder who is entitled to a continued priority. At least the following steps shall be undertaken to verify the status of the leasee:

- i. At the time of lease renewal, if the leasee has a 12-month lease, or at least annually, the leasee shall provide the City with all information reasonably requested by the City to verify his/her continued status as a first responder.
- ii. Thereafter, the City shall use all reasonable efforts to verify such status accurately and promptly. If the City is unable to verify the status to the City's reasonable satisfaction, the City shall notify the leasee in writing of this fact, and if appropriate, request additional information to assist the City in verifying the status.
- iii. If additional information is requested, the leasee shall provide it promptly and the City shall evaluate it. This interactive process shall continue until either the City can verify the first responder status, the leasee fails to provide additional information, or the City concludes that the leasee does not qualify for first responder status.
- iv. At the end of this process, the City shall notify the leasee in writing as to its conclusion.
- v. The ultimate burden of producing sufficient documentation and information to support a finding of first responder status shall remain with the leasee.

- vi. Any communication required to be in writing may be communicated via email to the last known email address of the leasee.

2. Changes in First Responder Status. For any leasee who has benefited from a first responder priority, if there is a change in that status, the following procedures will apply depending on the reason for a change in status:

a. Loss of First Responder Status Due to Separation from Employment. Except as provided in Subsections (b) and (c) below, if a leasee was employed as a first responder and separates from his/her employment for any reason and, thereafter, is no longer employed as a qualifying first responder, the leasee may remain in their housing unit until the end of the lease term, if they have a lease for a fixed period, or for up to six months following the loss of qualifying first responder status, whichever is longer. The leasee shall notify the City promptly following the loss of qualifying first responder status. The leasee will not be entitled to renew his/her lease for an additional 12-month period. At the end of this grace period, the leasee and all authorized occupants must vacate the housing unit unless either there are no prospective leasees on the then current housing waiting list, or any prospective leasees on the housing waiting list or any leasees on the transfer list do not want the unit that would be otherwise vacant.

b. Death or Permanent Disability of First Responder. In the event a first responder leasee who qualified for a priority dies or becomes permanently disabled in the line of duty, no one then residing in the housing unit shall be required to vacate the housing unit solely because of the death or permanent disability of the first responder.

c. Temporary Loss of First Responder Status. If an otherwise qualified first responder temporarily loses his/her qualifying first responder status, he/she shall not be required to vacate a housing unit so long as the qualifying first responder status is regained as specified herein. A “temporary” loss shall be for a period not to exceed three months and shall be as the result of a change in employment. If at the time of an annual recertification, the leasee has temporarily lost his/her first responder status, the annual recertification shall be deferred to afford the leasee an opportunity to regain qualifying first responder status. The length of the deferment shall be no longer than 90 days following the loss of qualifying first responder status.

3. A Qualifying First Responder’s Use of the Housing Unit. If a leasee obtains a housing unit via a first responder priority, it is the expectation that the first responder will, in fact, reside in the housing unit for a meaningful amount of time. It shall not be permissible for a leasee to obtain a housing unit via a first responder priority and then not use the housing unit personally (only authorized occupants actually residing in the housing unit). No fixed standard shall be established by which to measure “meaningful.” “Meaningful” may vary depending on a first responder’s particular work schedule. If a question arises as to whether a leasee is meeting this requirement, the City shall give written notice to the leasee, who then shall provide reasonable documentation and information to the City to demonstrate compliance with this requirement. If a leasee fails to demonstrate that he/she is complying with this requirement, the City may terminate the leasee’s lease, and the leasee and all authorized occupants will be required to vacate the subject housing unit.