

MINUTES OF THE REGULAR CITY COUNCIL MEETING
OF THE CITY OF VERNON HELD MONDAY, AUGUST 2, 2010,
IN THE COUNCIL CHAMBER OF THE CITY HALL LOCATED
AT 4305 SANTA FE AVENUE, VERNON, CALIFORNIA

MEMBERS PRESENT: Gonzales, McCormick, Davis, Maisano, Newmire

MEMBERS ABSENT: None

The meeting was called to order at 9:10 a.m. by Mayor Gonzales.

The City Clerk announced that a public hearing relating to the Congestion Management Program needed to be added to the agenda, and recommended that the matter be placed right before the Consent Calendar. He advised that the hearing had been duly noticed, but was inadvertently not listed on the agenda.

City Attorney Larry Wiener recommended that Resolution No. 3, relating to the Congestion Management Program, be considered immediately after the respective public hearing.

The City Council unanimously agreed to make the aforementioned changes to the agenda.

It was moved by Newmire and seconded by Davis, that Item 3a of the Consent Calendar be removed, and that the matter be tabled and brought back at a later date. Motion carried, 5-0.

The City Clerk announced that this was the time allotted for public comments.

The Mayor asked if there was anyone in the audience who wished to address the City Council. No one responded.

MINUTES

1. Minutes of the Special City Council Meeting held April 6, 2010.

It was moved by Maisano and seconded by Newmire, that the Minutes of the Special City Council Meeting held April 6, 2010, be approved and adopted as submitted. Motion carried, 5-0.

PRESENTATIONS

1. Service Pin Awards

The Mayor presented service pins to the following employees and congratulated them on behalf of the entire City Council.

<u>Employee Name</u>	<u>Job Title</u>	<u>Years</u>
1. Jose Pereyra	Generation Coordinator	20
2. Ali Nourmohamadian	Engineering Manager	20

The following employees were unable to attend the meeting to receive their service pins.

<u>Employee Name</u>	<u>Job Title</u>	<u>Years</u>
1. Wenceslao Reynoso	Plan Checker	25
2. Brandon Gray	Sergeant	15

PUBLIC HEARINGS

1. Consider the adoption of the Congestion Management Program Local Development Report, self-certifying the City's compliance with all elements of the program.

At 9:14 a.m., it was moved by McCormick and seconded by Newmire, to open the public hearing. Motion carried, 5-0.

Director of Community Services & Water Kevin Wilson elaborated on the information contained in the staff report concerning this matter and requested that the Local Development Report be approved. He advised that the report would be transmitted to the Los Angeles County Metropolitan Transportation Authority.

The Mayor asked if there was anyone in the audience who wished to address the City Council on this matter. No one responded.

At 9:18 a.m., it was moved by McCormick and seconded by Maisano, to close the public hearing. Motion carried, 5-0.

- a. **RESOLUTION NO. 2010-108** - A Resolution of the City Council of the City of Vernon Finding the City of Vernon to be in Conformance with the Congestion Management Program (CMP) and Approving and Adopting the CMP Local Development Report, in Accordance with California Government Code Section 65089.

It was moved by Davis and seconded by Maisano, that Resolution No. 2010-108 be approved and adopted. Motion carried, 5-0.

CONSENT CALENDAR

1. Fire Department

- a. Activity Report for the period of July 1 through July 15, 2010, to be received and filed.

2. Health Department

- a. June 2010 Report, to be received and filed.

3. a. - REMOVED

4. Police Department

- a. Activity Log and Statistical Summary of Arrest and Activities for the period of July 1 through July 15, 2010, to be received and filed.

5. Treasurer's Department

- a. Ratification of the following warrant registers to record voided checks:

1. Warrant Register No. 1318 to record the following voided checks:
 - a. Check no. 330318 in the amount of \$90.50, issued 06/17/10; and

It was moved by Davis and seconded by Maisano, that Resolution No. 2010-107 be approved and adopted. Motion carried, 5-0.

- 3. RESOLUTION NO. 2010-109** - A Resolution of the City Council of the City of Vernon Directing that Contracting Procedures set forth in Section 2.29-4 of the Vernon City Code be Followed for Contract No. CS-0020 for 26th Street Improvements and Authorizing the City Clerk to Give Notice Inviting Sealed Bids.

It was moved by McCormick and seconded by Newmire, that Resolution No. 2010-109 be approved and adopted. Motion carried, 5-0.

- 4. RESOLUTION NO. 2010-110** - A Resolution of the City Council of the City of Vernon Amending Previously Amended Resolution No. 9639 Regarding the Compensation, Costs and Benefits of its Employees ("Salary Resolution") by Amending Schedule Nos. III And XIII of the Salary Resolution (Amendment No. 19).

City Attorney Larry Wiener advised that the item previously removed from the Consent Calendar and tabled, related to changes in the proposed Salary Resolution amendment respecting the Executive Secretary positions in the City Administration and Light & Power Departments. As a result, he recommended the resolution be approved without those changes.

It was moved by McCormick and seconded by Newmire, that Resolution No. 2010-110 be approved and adopted, without the changes respecting the Executive Secretary positions. Motion carried, 5-0.

- 5. RESOLUTION NO. 2010-111** - A Resolution of the City Council of the City of Vernon Appointing the City Administrator as Purchasing Agent for the City Pursuant to Section 2.19 of the Vernon City Code.

It was moved by Maisano and seconded by Newmire, that Resolution No. 2010-111 be approved and adopted. Motion carried, 5-0.

- 6. RESOLUTION NO. 2010-112** - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Application for the 2010/2011 Used Oil Payment Program and Superseding Resolution No. 2010-82.

It was moved by Davis and seconded by McCormick, that Resolution No. 2010-112 be approved and adopted. Motion carried, 5-0.

ORAL REPORTS

- 1. Conference/Seminar reports from Elected Officials for the period of July 19 through August 1, 2010.**

The Mayor reported that none of the City Council Members attended conferences or seminars during the period of July 19 through August 1, 2010.

2. City Administrator Reports.

Interim City Administrator Mark Whitworth reported that he is keeping the Council abreast of all current activity and is working with the City Attorney to get up to speed, as well as former City Administrator Donal O'Callaghan with regard to exchange of information and responsibilities. He stated that he is doing quite well so far. He invited Department Heads up to report on recent activities in their respective departments.

Interim Police Chief Jim Rodino reported as follows:

- a. July 22, 2010, officers responded to an industrial accident at Super Electric Motor Service, 4623 Hampton, in which a worker severed his fingers in a machine. Cal/OSHA is investigating.
- b. July 23, 2010, officers arrested a suspect for copper wire theft.
- c. July 25, 2010, the department assisted Bell Police Department on a mutual aid request at the Bell City Council meeting involving votes respecting the City Administrator, Assistant City Administrator, and Police Chief, where 4,000 residents turned out to voice their concerns about the salaries of the three individuals. Police Departments from Bell, Huntington Park, Downey, Montebello, LASO, and L.A. County School Police also assisted. No police involvement occurred.
- d. July 27, 2010, officers took a sexual battery report that occurred on Sierra Pine north of Bandini Boulevard, in which a woman was accosted by a transient upon arriving at work. Detectives are investigating the case and an update will be provided at the next Council meeting.
- e. July 28, 2010, officers responded to a robbery/battery report at 4201 Exchange, involving a husband forcefully stealing his wife's purse and fleeing the scene. Detectives are investigating the case and expect to make an arrest soon.
- f. July 29, 2010, officers took a vandalism report at Steel Services, 5637 District Boulevard, where the suspect spray-painted graffiti on the South wall of the company. The graffiti will be removed through the graffiti abatement program, along with graffiti recently reported at Downey and 50th and Santa Fe.
- g. July 30, 2010, the department conducted a DUI checkpoint at Slauson and Alcoa, resulting in five arrests, 22 stored vehicles for unlicensed drivers, and several citations.
- h. Officer Encinas participated in the 2010 Western States Police and Fire Games, and took first place in the Toughest Competitor Alive category, which is a very tremendous achievement.

The Mayor asked who is taking Neil's place.

Rodino advised that Encinas is, as he's the department's next toughest cop. He's very young and expected to participate in these events for a number of years.

Assistant Fire Chief Mike Wilson reported as follows:

- a. As part of an area strike team, one engine company, which includes five engines and a Battalion Chief, was sent to the Crown fire in Antelope Valley for two days. The Crown fire burned 14,000 acres and is the most significant fire in the brush this season. A light season is projected this year, but a heavy season is expected in April or May of next year.
- b. Matt Holtzendorff, who runs the CERT program, is also continuing four-hour CPR classes for City employees. The next two classes are on August 3 and 16, 2010.
- c. August 9, 12, and 13, 2010, the department will take its turn hosting a hazardous materials training drill at DK Environmental for cities in the area. Earlier in the year, Downey hosted a Multiple Victims Incident (MVI) training drill, and Santa Fe Springs an Urban Search and Rescue training drill.
- d. This week and next, using grant funds entirely, three paramedics will be attending a school for cross training in hazardous materials.
- e. July 22, 2010, fire crews also responded to the industrial accident at Super Electric Motor Service the Interim Police Chief reported on. He described the details of the accident and advised that four of the injured individual's fingers were severed. Department personnel immediately retrieved all four fingers, packed them in ice, and sent them to hospital, where it was hoped they would be reattached, as it was a pretty clean cut.
- f. July 25, 2010, there was a power outage that involved power lines down at Alcoa and Fruitland.
- g. July 26 and 31, 2010, there were two separate incidents of vehicles hitting poles, causing wires to sway, and a couple of blow-outs.

3. City Council Reports.

None of the City Council Members had anything to report at this time.

The City Clerk announced there were no further items on the open session portion of the agenda, but there were items for closed session.

At 9:35 a.m., the Mayor called a short recess.

At 9:40 a.m., all five members of the City Council in attendance prior to the recess reconvened in open session.

It was moved by McCormick and seconded by Newmire, that the City Council enter into closed session to discuss the items listed on the closed session agenda. Motion carried, 5-0.

At 9:50 a.m., the City Council resumed open session.

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CLOSED SESSION REPORT OUT

The City Attorney reported as follows:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: 4900 Pacific Boulevard, Vernon, California

Agency Negotiators: George Mihlsten, Eric Fresch

Negotiating Party: Pacific XC, LP

Under Negotiation: Price and Terms of Payment

No reportable action was taken.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(b)(3)(C).

Number of potential cases: 1

The City has received a claim for damages pursuant to the Tort Claims Act. The claim is available for public inspection.

The City Council unanimously voted to reject the claim filed by the Truck Insurance Exchange.

The City Clerk announced there were no further items on the agenda.

At 9:52 a.m., it was moved by McCormick and seconded by Newmire, that the meeting be adjourned. Motion carried.

Hilario Gonzales
Mayor

ATTEST:

Willard G. Yamaguchi
City Clerk