

MINUTES OF THE REGULAR CITY COUNCIL MEETING  
OF THE CITY OF VERNON HELD MONDAY, MAY 10, 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 9:02 a.m. by Mayor Gonzales.

The City Clerk announced that there were no changes to the agenda.

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.

Ramon Medina, President of the Maywood Business Association, asked the City Council to consider allowing the Maywood Business Association to use the site at 5119 District Boulevard to conduct circus shows from May 13 through May 19, 2010.

City Attorney Laurence Wiener advised that because the matter brought forward by Mr. Medina was an item listed on the agenda, it would be appropriate for the City Council to wait and take action on the matter when the item is presented.

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

A Proclamation of the Mayor and the City Council of the City of Vernon Commending Fernando M. Weathers for His Many Years of Service to the City of Vernon, was read in its entirety.

It was moved by McCormick, seconded by Davis, that the proclamation for Fernando M. Weathers be approved. Motion carried. 5-0

The Mayor presented the proclamation to Mr. Weathers and extended congratulations on behalf of the City Council.

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

The Consent Calendar was presented.

**CONSENT CALENDAR**

**Community Services & Water Department**

1. Building Department Report for the month of April 2010, to be received and filed.

**Fire Department**

1. Activity Report for the period of April 16 through April 30, 2010, to be received and filed.

**Police Department**

1. Activity Log and Statistical Summary of Arrest and Activities for the period of April 16 through April 30, 2010, to be received and filed.

**Treasurer's Department**

1. Approval of the following Warrant Registers covering the period of April 27 through May 3, 2010.
  - a. Warrant Register No. 1312, totaling \$477,740.20, which consists of the following:
    - Ratification of wire transfers totaling \$303,456.32;
    - Ratification of the issuance of early checks totaling \$69,475.60; and
    - Authorization to issue pending checks totaling \$104,808.28.
  - b. Light & Power Warrant Register No. 277, totaling \$1,168,206.48, which consists of the following:
    - Ratification of wire transfers totaling \$1,128,951.52;
    - Ratification of the issuance of early checks totaling \$10,996.36; and
    - Authorization to issue pending checks totaling \$28,258.60.
  - c. Gas Warrant Register No. 65, totaling \$2,762,681.53, which consists of the following:
    - Ratification of wire transfers totaling \$2,752,591.32;
    - Ratification of the issuance of early checks totaling \$6,759.89; and
    - Authorization to issue pending checks totaling \$3,330.32.

It was moved by McCormick, seconded by Newmire, that the matters on the Consent Calendar be approved as recommended. Motion carried. 5-0

**RESOLUTION NO. 2010-53** - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Agreement with Palsons Electrical Engineering Services, Inc. for Engineering Services Related to Substation Underfrequency Load Shed Project.

It was moved by Maisano, seconded by Davis, that Resolution No. 2010-53 be approved and adopted. Motion carried. 5-0

**RESOLUTION NO. 2010-54** - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Agreement with JM Crew, Inc., D.B.A. Rhino Construction Services for Electrical Work Related to Substation Underfrequency Load Shed Project.

It was moved by Davis, seconded by McCormick, that Resolution No. 2010-54 be approved and adopted. Motion carried. 5-0

**RESOLUTION NO. 2010-55** - A Resolution of the City Council of the City of Vernon Approving and Authorizing the Execution of an Optical Fiber Use Agreement and Short Form Iru-07.1 and Iru-07.2 Indefeasible Right of Use Agreements by and between the City of Vernon and C.R. Laurence International, Inc. for the Use of the City's Fiber Optic Network.

It was moved by McCormick, seconded by Newmire, that Resolution No. 2010-55 be approved and adopted. Motion carried. 5-0

A request from the Maywood Business Association for permission to utilize the City-owned site located at 5119 District Boulevard for the Ramos Circus Shows from May 13 through May 19, 2010, was presented. Staff recommended the City deny the request due to zoning and liability issues.

At the Mayor's request, Director of Community Services & Water Kevin Wilson provided background information on the 5119 property and explained the zoning, parking, and safety issues that led to staff's recommendation to deny the request.

The Mayor invited a response from Mr. Medina.

Mr. Medina stated that he had discussed with Director Wilson concerns of neighborhood disruption the circus might cause, but the event runs for only one week and many local children and families enjoy the event. The profits from one show, estimated to be \$2,000 to \$3,000, would be donated to the City of Vernon, and adequate security and insurance would be provided. Mr. Medina expressed his appreciation to the City Council for considering the request.

Mayor Pro Tem McCormick asked the City Attorney to comment on the matter.

City Attorney Wiener shared Director Wilson's liability and safety concerns.

Councilman Newmire raised concerns with parking enforcement and the additional burden the event would place on the City's law enforcement personnel.

Mr. Medina acknowledged Councilman Newmire's concerns and stated that a large percentage of attendees walk to the event rather than drive, and that the security provided would handle everything at and within the event location.

Mayor Pro Tem McCormick asked the Police Chief to comment on the matter.

Police Chief Steve Towles stated that traffic would be a concern and that the sidewalks in the surrounding vicinity were not improved sidewalks, thereby adding to the safety concern.

Councilman Newmire asked the Fire Chief to comment on the matter.

Fire Chief Mark Whitworth stated that a park would be better suited for the event and that the request was not submitted early enough to ensure adequate time to review and enforce the Fire Code requirements that relate to such an event.

It was moved by Davis, seconded by Newmire, to deny use of the City-owned site located at 5119 District Boulevard for the Ramos Circus Shows. Motion carried. 5-0

A request from Councilman Davis to be excused from the City Council meeting of May 17, 2010, was presented.

It was moved by McCormick, seconded by Newmire, that Councilman Davis be excused from the City Council meeting of May 17, 2010. 5-0

The City Clerk announced that this was the time to hold the discussion to obtain City Council direction on the possible appointment of a City representative to serve on the Steering Committee for the Pacific Electric Right-of-Way (PE ROW)/West Santa Ana Branch Corridor Alternatives Analysis.

It was moved by Gonzales, seconded by Davis, to appoint Mayor Pro Tem McCormick to serve as the City's representative on the Steering Committee for the PE ROW/West Santa Ana Branch Corridor Alternatives Analysis. Motion carried. 5-0

Director of Community Services & Water Wilson advised that a Technical Advisory Committee for the PE ROW was also being formed and asked the City Council if it would like him or a member of his staff to serve on said committee. The City Council agreed to appoint Director Wilson to serve on the Technical Advisory Committee.

Director Wilson stated that the City Attorney's Office would prepare a resolution affirming the Steering Committee and Technical Advisory Committee appointments, and present it to the City Council for final consideration at the next meeting.

The City Clerk announced that this was the time for conference/seminar reports from elected officials for the period of April 26 through May 9, 2010.

The Mayor reported that none of the Councilmembers attended conferences or seminars during the period of April 26 through May 9, 2010.

The City Clerk announced that this was the time for reports and announcements from the City Administrator.

City Administrator Donal O'Callaghan reported as follows:

1. A new Barclays Capital agreement will be presented to the City Council for its consideration at an upcoming meeting. The new agreement will replace the existing agreement and be specific to the City's wind project.
2. The final draft of the proposed 2010-2011 fiscal year budget will be completed over the next couple of weeks and is expected to be delivered

to the City Council for its consideration by the May 31<sup>st</sup> deadline.

3. The two resolutions passed today regarding the Substation Underfrequency Load Shed Project relate to regulatory compliance and public safety issues. He talked briefly about capital projects and how to manage them going forward.

The City Clerk announced that this was the time for reports and announcements from members of the City Council.

The Mayor announced that he recently signed the Redevelopment Agency check for the money due to the State of California.

None of the other Councilmembers had anything to report at this time.

The City Council recessed into closed session to discuss the items listed on the closed session agenda.

Closed Session Reports: The City Attorney reported that there were no reportable actions.

It was moved by McCormick, seconded by Newmire, that the meeting be adjourned at 9:44 a.m. Motion carried.

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Hilario Gonzales  
Mayor

ATTEST:

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Willard G. Yamaguchi  
City Clerk