MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF VERNON HELD TUESDAY, SEPTEMBER 4, 2018, IN COUNCIL CHAMBER OF CITY HALL LOCATED AT 4305 SANTA FE AVENUE, VERNON, CALIFORNIA

Members Present: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
Members Absent: Luz Martinez

CALL TO ORDER & FLAG SALUTE
The meeting was called to order at 9:00 a.m. by Mayor Yvette Woodruff-Perez; Finance Director William Fox led the flag salute.

CHANGES TO THE AGENDA
City Clerk Maria Ayala announced that there were no changes to the agenda.

PUBLIC COMMENT
No public comment provided.

PRESENTATION
1) Presentation of Grantee Certificates and Report on FY 2018/2019 Docket I Grants Awarded by Vernon CommUNITY Fund Grant Committee
Recommendation: A. Find that receiving this report on grants awarded by the Vernon CommUNITY Fund Grant Committee is exempt from California Environmental Quality Act (“CEQA”) review, because it is an administrative action 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. Present Certificates to FY 2018/2019 Docket I Grant Recipients; and
C. 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.

City Clerk Maria Ayala announced the certificate awardees and provided a brief description of their organization. They were presented with certificates by Mayor Woodruff-Perez.

CONSENT CALENDAR
2) Approval of Purchase Contract with ECS Imaging, Inc. for the provision of Laserfiche Enterprise Content Management Solutions and Support
Recommendation: A. Find that approval of 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 section 15378; and
B. Authorize the issuance of a Purchase Contract with ECS Imaging, Inc in an amount not to exceed $139,149.00 for a period of three years from August 22, 2018 through August 21, 2021; and
C. Authorize the City Administrator to execute the proposed purchase contract for the provision of Laserfiche Enterprise Content Management (ECM) solutions and support services for City Hall.

3) Ratification of Mayor's Appointment of an Eligible Individual to Serve on the Green Vernon Commission
Recommendation: A. Find that the proposed action is exempt from California Environmental Quality Act (“CEQA”) review, because the ratification of the Mayor's appointment of an eligible individual to serve on the Green Vernon Commission is an administrative action 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. Ratify the Mayor's appointment of Alan Franz to serve on the Green Vernon Commission in a Business Representative Seat for a four year term that will expire on June 30, 2022.

4) Minutes of the Regular City Council Meeting held August 21, 2018
Recommendation: A. Receive and File

5) Claim for Damages from James R. Harbin Jr. received August 22, 2018
Recommendation: A. Receive and File

6) Ratification of Warrant Registers to Record Voided Checks
Recommendation: A. Ratify the following warrant registers to record voided checks:
   1) Operating Account Warrant Register No. 5 to record voided Check No. 600590 in the amount of $8,517.10 issued 08/07/18 to Burhenn & Gest, LLP.

7) Approval of Operating Account Warrant Register No. 6 Covering the Period of August 14 through August 27, 2018
Recommendation: A. Approve Operating Account Warrant Register No. 6 which totals $13,796,576.80 and consists of the following:
   1) Ratification of electronic payments totaling $13,426,745.09.
   2) Ratification of the issuance of early checks totaling $338,876.03.
   3) Authorization to issue pending checks totaling $30,955.68.

8) Approval of RDA Obligation Retirement Account Warrant Register No. 45 Covering the Period of July 10 through August 27, 2018
Recommendation: A. Approve RDA Obligation Retirement Account Warrant Register No. 45 which totals $210.00 and consists of the following:
   1) Ratification of electronic payments totaling $210.00.

9) Approval of Federal Funds for Street Improvements Account Warrant Register No. 23 Covering the Period of August 14 through August 27, 2018
Recommendation: A. Approve Federal Funds for Street Improvements Account Warrant Register No. 23 which totals $35,426.68 and consists of the following:
   1) Ratification of electronic payments totaling $35,426.68.

10) Amendment No. 2 to the Services Agreement with Epic Land Solutions, Inc. for Infrastructure Valuation in Accordance with GASB 34 and 51
Recommendation: A. Find that entering into an amendment with Epic Land Solutions, who is the appraiser currently providing infrastructure valuation services, in accordance with GASB 34 and 51 is exempt under the California Environmental Quality Act (CEQA), because it is a continuing 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. Even if such were considered a project, it would be exempt from CEQA review in accordance with Section 15061(b)(3),
the general rule is that CEQA only applies to activities that may have a significant effect on the environment; and

B. Approve Amendment No. 2 with Epic Land Solutions, Inc. ("Epic") which will extend the time for the completion of the project until December 31, 2018 for an additional amount of $80,000; and

C. Authorize the City Administrator to execute Amendment No. 2 with Epic in substantially the same form as submitted herewith, in order to complete phase 2 of the infrastructure valuation in accordance with GASB 34 and 51.

11) Fire Department Activity Report for the Period of July 16 through July 31, 2018
**Recommendation:** A. Receive and file.

12) Sale of 1994 Seagrave Type 1 Pumper
**Recommendation:** A. Find that approval of the proposed action 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. Accept an offer from Rio Hondo College to purchase one (1) 1994 Seagrave Type 1 Pumper ("Engine") in the amount of $3,000 and authorize staff to proceed with the sale of the Engine.

13) Sale of 1998 American LaFrance Tractor Drawn Aerial
**Recommendation:** A. Find that approval of the proposed action 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. Accept an offer from the City of Brea to purchase one (1) surplus 1998 American LaFrance Tractor Drawn Aerial ("Truck") in the amount of $49,999; and

C. Approve a Purchase and Sale Agreement with the City of Brea ("Agreement"), for the purchase of the surplus Truck, in substantially the same form as submitted herewith; and

D. Authorize the City Administrator to execute the Agreement and all related documents as necessary to carry out the sale of the surplus Truck.

14) Vernon Police Department Activity Log and Statistical Summary for the period of July 16 through July 31, 2018
**Recommendation:** A. Receive and file.

15) Vernon Police Department Activity Log and Statistical Summary for the period of August 1 through August 15, 2018
**Recommendation:** A. Receive and file.

16) Acceptance of Electrical Easement at 2959 E. 50th Street (APN 6303-024-007)
**Recommendation:** A. Find that the acceptance of the Electrical Easement proposed in this staff report is not a “project” as that term is defined under the California Environmental Quality Act (CEQA) Guidelines Section 15378, and even if it were a project, it would be categorically exempt in accordance with CEQA Guidelines Sections 15301 (maintenance, repair or minor alteration of an existing facility and involves negligible or no expansion of an existing use) and 15061(b)(3) (general rule that CEQA only applies to projects that may have a significant effect on the environment); and
B. Accept the Electrical Easement, in substantially the same form as attached to this staff report, and authorize the Mayor to execute the Certificate of Acceptance.

17) Award of a Services Agreement to Mariposa Landscapes, Inc. for Grounds Maintenance Services

**Recommendation:**

A. Find that approval of the proposed Agreement with Mariposa Landscapes, Inc. is exempt from the California Environmental Quality Act (CEQA) review in accordance with CEQA Guidelines Section 15301 (Existing Facilities), part (h) (maintenance of existing landscaping), because the project is merely to maintain the existing landscaping and general lawn care; and

B. Approve a Services Agreement with Mariposa Landscapes, Inc., in substantially the same form as submitted herewith, for a three (3) year term in an amount not-to-exceed $128,952 ($42,984 per year) for Grounds Maintenance Services; and

C. Authorize the City Administrator to execute the Services Agreement with Mariposa Landscapes, Inc. with an effective date of October 1, 2018.

It was moved by William Davis and seconded by Leticia Lopez to approve Consent Calendar Items 2 through 17. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

**ORDINANCE**

18) Ordinance No. 1256 - An Ordinance of the City Council of the City of Vernon, California, adding Article VIII to Chapter 12 of the Vernon Municipal Code to Establish a Construction and Demolition Debris Recycling Program

**Recommendation:**

A. Find that approval of the proposed Ordinance is categorically exempt from California Environmental Quality Act (“CEQA”) review under CEQA Guidelines Section 15308 (“actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment”). Here, the Ordinance involves amending Chapter 12 of the Vernon Municipal Code, Waste Management and Recycling, and the establishment of a construction and demolition debris recycling program, which will establish procedures for protection of the environment; and

B. Approve the second reading and adopt Ordinance No. 1256, amending Chapter 12 of the Vernon Municipal Code, Waste Management and Recycling, by adding Article VIII to establish a construction and demolition debris recycling program.

Public Works Director Daniel Wall reported on the proposed.

No public comment provided.

It was moved by William Davis and seconded by Leticia Lopez to: A. Find that approval of the proposed Ordinance is categorically exempt from California Environmental Quality Act (“CEQA”) review under CEQA Guidelines Section 15308 (“actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment”). Here, the Ordinance involves amending Chapter 12 of the Vernon Municipal Code, Waste Management and Recycling, and the establishment of a construction and demolition debris recycling program, which will establish procedures for protection of the environment; and
B. Approve the second reading and adopt Ordinance No. 1256, amending Chapter 12 of the Vernon Municipal Code, Waste Management and Recycling, by adding Article VIII to establish a construction and demolition debris recycling program. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

NEW BUSINESS

19) Authorize the Issuance of Purchase Orders to Howard Industries, Inc., ERMCO Distribution Transformers, and PanAmerica Supply, Inc. to Furnish and Deliver Padmount Transformers (Bid Specification #TR3-2018-PM1)

Recommendation: A. Find that approval of the proposed purchase of Padmount Transformers is exempt from California Environmental Quality Act ("CEQA") review, because accepting and awarding a bid 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. As to the replacement of electrical distribution transformers, the proposed action is exempt from CEQA review, in accordance with CEQA Guidelines § 15302, because the proposed project consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and

B. Accept the bids from Howard Industries, Inc., ERMCO Distribution Transformer, and PanAmerica Supply, Inc. as the lowest responsive and responsible bidders and reject all other bids; and

C. Authorize the issuance of a purchase order to Howard Industries, Inc., to furnish and deliver distribution padmount transformers (Bid Specification #TR3-2018-PM1) bid item numbers 3, 4 and 5 for a three (3) year term with a not-to-exceed amount of $136,072; and

D. Authorize the issuance of a purchase order to ERMCO Distribution Transformers to furnish and deliver distribution padmount transformers (Bid Specification #TR3-2018-PM1) bid item numbers 1 and 7 for a three (3) year term with a not-to-exceed amount of $222,587; and

E. Authorize the issuance of a purchase order to PanAmerica Supply, Inc. to furnish and deliver distribution padmount transformers (Bid Specification #TR3-2018-PM1) bid item numbers 2 and 6 for a three (3) year term with a not-to-exceed amount of $253,275.

General Manager Kelly Nguyen reported on the proposed.

No public comment provided.

It was moved by Melissa Ybarra and seconded by William Davis to: A. Find that approval of the proposed purchase of Padmount Transformers is exempt from California Environmental Quality Act ("CEQA") review, because accepting and awarding a bid 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. As to the replacement of electrical distribution transformers, the proposed action is exempt from CEQA review, in accordance with CEQA Guidelines § 15302, because the proposed project consists of the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and B. Accept the bids from Howard Industries, Inc., ERMCO Distribution Transformer, and PanAmerica Supply, Inc. as the lowest responsive and responsible bidders and reject all other bids; and C. Authorize the issuance of a purchase order to Howard Industries, Inc., to furnish and deliver distribution padmount transformers (Bid Specification
#TR3-2018-PM1) bid item numbers 3, 4 and 5 for a three (3) year term with a not-to-exceed amount of $136,072; and D. Authorize the issuance of a purchase order to ERMCO Distribution Transformers to furnish and deliver distribution padmount transformers (Bid Specification #TR3-2018-PM1) bid item numbers 1 and 7 for a three (3) year term with a not-to-exceed amount of $222,587; and E. Authorize the issuance of a purchase order to PanAmerica Supply, Inc. to furnish and deliver distribution padmount transformers (Bid Specification #TR3-2018-PM1) bid item numbers 2 and 6 for a three (3) year term with a not-to-exceed amount of $253,275. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

20) A Resolution Approving and Authorizing the Execution of an Master Services Agreement for Upstream Internet Access Services with Centurylink Communications, LLC

**Recommendation:** A. Find that approval of the proposed action in this staff report is exempt under the California Environmental Quality Act ("CEQA"), because it is a governmental administrative activity that will not have any effect on the environment and is therefore not a “project” as that term is defined by CEQA Guidelines section 15378; and

B. Adopt a Resolution approving and authorizing the execution of an Master Services Agreement for Upstream Internet Access Services with Centurylink Communications, LLC.

General Manager Nguyen reported on the proposed.

No public comment provided.

It was moved by Melissa Ybarra and seconded by Leticia Lopez to: A. Find that approval of the proposed action in this staff report is exempt under the California Environmental Quality Act ("CEQA"), because it is a governmental administrative activity that will not have any effect on the environment and is therefore not a “project” as that term is defined by CEQA Guidelines section 15378; and B. Adopt a Resolution approving and authorizing the execution of an Master Services Agreement for Upstream Internet Access Services with Centurylink Communications, LLC. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

21) Authorize the Issuance of a Purchase Order to One Source Distributors to Furnish and Deliver Overhead Automatic Reclosers (Bid Specification #AR-2018-1)

**Recommendation:** A. Find that approval of the proposed purchase of Overhead Automatic Reclosers is exempt from California Environmental Quality Act ("CEQA") review, because accepting and awarding a bid 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. As to the installation of Overhead Automatic Reclosers, the proposed action is exempt from CEQA review, in accordance with CEQA Guidelines § 15302, because the proposed project consists of the reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and

B. Accept the bid from One Source Distributors as the lowest responsive and responsible bidder and reject all other bids; and

C. Approve and authorize the issuance of a purchase order to One Source Distributors to furnish and deliver four (4) 15 KV and sixteen (16) 25 KV
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Overhead Automatic Reclosers (Bid Specification #AR-2018-1) for a three (3) year term with a not-to-exceed amount of $878,238.20.

General Manager Nguyen reported on the proposed.

No public comment provided.

It was moved by William Davis and seconded by Leticia Lopez to: A. Find that approval of the proposed purchase of Overhead Automatic Reclosers is exempt from California Environmental Quality Act ("CEQA") review, because accepting and awarding a bid 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. As to the installation of Overhead Automatic Reclosers, the proposed action is exempt from CEQA review, in accordance with CEQA Guidelines § 15302, because the proposed project consists of the reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced; and B. Accept the bid from One Source Distributors as the lowest responsive and responsible bidder and reject all other bids; and C. Approve and authorize the issuance of a purchase order to One Source Distributors to furnish and deliver four (4) 15 KV and sixteen (16) 25 KV Overhead Automatic Reclosers (Bid Specification #AR-2018-1) for a three (3) year term with a not-to-exceed amount of $878,238.20. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

22) Award of a Services Agreement to Priority Building Services, LLC for Janitorial Services

Recommendation: A. Find that awarding the contract to Priority Building Services, LLC 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 is not a “project” as defined by CEQA Guidelines, Section 15378; and

B. Approve a Services Agreement with Priority Building Services, LLC, in substantially the same form as submitted herewith, for a three (3) year term in an amount not-to-exceed $367,668 ($122,556 per year) for the City's janitorial services; and

C. Authorize the City Administrator to execute the Services Agreement with Priority Building Services, LLC with an effective date of October 1, 2018.

Director Wall reported on the proposed.

No public comment provided.

It was moved by Melissa Ybarra and seconded by Leticia Lopez to: A. Find that awarding the contract to Priority Building Services, LLC 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 is not a “project” as defined by CEQA Guidelines, Section 15378; and B. Approve a Services Agreement with Priority Building Services, LLC, in substantially the same form as submitted herewith, for a three (3) year term in an amount not-to-exceed $367,668 ($122,556 per year) for the City's janitorial services; and C. Authorize the City Administrator to execute the Services Agreement with Priority Building Services, LLC with an effective date of October 1, 2018.. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

23) Authorization to Issue Payment to Western Allied Corporation for Heating and Air Conditioning Services and Establish New Blanket Purchase Contracts for Fiscal Year 2018-19

Recommendation: A. Find that the approval to paying additional expenses and issue blanket purchase contracts to Western Allied Corporation is exempt
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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 is not a “project” as defined by CEQA Guidelines, Section 15378; and

B. Authorize staff to issue payment to Western Allied Corporation for an additional $36,540.66 to cover outstanding invoices on existing purchase contracts; and

C. Authorize the Public Works Department to establish a blanket purchase contract with Western Allied Corporation for Fiscal Year 2018-19 in the amount of $25,000; and

D. Authorize the Public Utilities Department to establish a blanket purchase contract with Western Allied Corporation for Fiscal Year 2018-19 in the amount of $35,000.

Director Wall reported on the proposed.

No public comment provided.

It was moved by Melissa Ybarra and seconded by Leticia Lopez A. Find that the approval to paying additional expenses and issue blanket purchase contracts to Western Allied Corporation 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 is not a “project” as defined by CEQA Guidelines, Section 15378; and B. Authorize staff to issue payment to Western Allied Corporation for an additional $36,540.66 to cover outstanding invoices on existing purchase contracts; and C. Authorize the Public Works Department to establish a blanket purchase contract with Western Allied Corporation for Fiscal Year 2018-19 in the amount of $25,000; and D. Authorize the Public Utilities Department to establish a blanket purchase contract with Western Allied Corporation for Fiscal Year 2018-19 in the amount of $35,000. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra  
No: None

24) Award of a Services Agreement to Alta Planning + Design, Inc. for Preparation of the Vernon Los Angeles River Path Active Transportation Access Plan

Recommendation: A. Find that approval of the proposed action is categorically exempt under the California Environmental Quality Act (“CEQA”) in accordance with Section 15306, because the scope of the agreement consists of data collection, research, and preparation of a study / plan, which will not result in a serious or major disturbance to any environmental resource and which will not commit the City to any project; and

B. Approve a Services Agreement with Alta Planning + Design, Inc. (“Alta”), in substantially the same form as submitted herewith, for a term of approximately eighteen (18) months in an amount not-to-exceed $229,471.00 for Preparation of the Vernon Los Angeles River Path Active Transportation Access Plan (the “Plan”); and

C. Authorize the City Administrator to execute the Services Agreement with Alta.

Director Wall reported on the proposed.

No public comment provided.

It was moved by Melissa Ybarra and seconded by Leticia Lopez to: A. Find that approval of the proposed action is categorically exempt under the California Environmental Quality Act
(“CEQA”) in accordance with Section 15306, because the scope of the agreement consists of data collection, research, and preparation of a study / plan, which will not result in a serious or major disturbance to any environmental resource and which will not commit the City to any project; and B. Approve a Services Agreement with Alta Planning + Design, Inc. (“Alta”), in substantially the same form as submitted herewith, for a term of approximately eighteen (18) months in an amount not-to-exceed $229,471.00 for Preparation of the Vernon Los Angeles River Path Active Transportation Access Plan (the “Plan”); and C. Authorize the City Administrator to execute the Services Agreement with Alta. Motion carried, 4 - 0.

Yes: Yvette Woodruff-Perez, William Davis, Leticia Lopez, Melissa Ybarra
No: None

ORAL REPORTS

City Administrator Fandino reported on the following: various Fire Department incidents throughout the City; Vernon Fire Department tours; the Mendocino Wildfire Incident; Police Department Homeless Outreach; various Police Department incidents throughout the City; and the League of California Cities Expo taking place September 12-14.

The City Council entered closed session at 9:29 a.m.

CLOSED SESSION

25) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation.
Government Code Section 54956.9(d)(2)
Number of potential cases: 1

26) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (2)
Government Code Section 54956.9(d)(1)
Name of Case: Reina Lopez vs. City of Vernon
LASC Case No. BS713375
Name of Case: Jerry Chavez vs. City of Vernon
LASC Case No. BC719460

At 9:40 a.m. the City Council exited closed session. Senior Deputy City Attorney Zaynah Moussa reported that three items were discussed, no reportable action was taken.

ADJOURNMENT

With no further business, at 9:40 a.m., Mayor Woodruff-Perez adjourned the meeting.

Melissa Ybarra
Mayor

ATTEST:

Maria E. Ayala
City Clerk