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

MEMBERS ABSENT: None

The meeting was called to order at 9:00 a.m. by Mayor Ybarra; Mayor Ybarra also led the flag salute.

CHANGES TO THE AGENDA

City Clerk Maria Ayala announced there were no changes to the agenda.

PUBLIC COMMENT

Mayor Ybarra 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.

No public comment was provided.

PUBLIC HEARING

1. ORDINANCE NO. 1249 - An Ordinance of the City Council of the City of Vernon, California, adding Article VII to Chapter 22 of the Vernon Municipal Code to authorize Overload Vehicle Permits (First Reading)

Recommendation:

A. Find that approval of the proposed Ordinance is exempt from California Environmental Quality Act ("CEQA") review, because it is not a “project” under CEQA, which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. See CEQA Guidelines section 15378. Even if the ordinance were to be considered a “project,” under CEQA Guidelines Section 15061(b)(3), the ordinance would be exempt from CEQA review, because it does not have the potential for causing a significant effect on the environment, especially where, as here, adoption of the ordinance is being pursued to provide the legal basis for the current practice of issuing overload vehicle permits. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the proposed Ordinance involves the establishment of Article VII of Chapter 22 of the Vernon Municipal Code authorizing issuance of overload vehicle permits and will not have any effect on the environment; and

B. Conduct a Public Hearing and receive any comments from the public regarding the proposed Ordinance; and

C. Approve the first reading, and adopt at a subsequent meeting, an Ordinance establishing Article VII of Chapter 22 of the Vernon Municipal Code authorizing overload vehicle permits.

Mayor Ybarra opened the public hearing at 9:02 a.m.

Public Works Director Daniel Wall reported on the proposed.

No public comment was provided.
Mayor Ybarra closed the public hearing at 9:07 a.m.

Councilmember Davis inquired as to how the overload issues were currently being handled, Director Wall stated that the California Highway Patrol was currently weighing overloaded trucks.

It was moved by Davis and seconded by Martinez to approve the first reading, and adopt at a subsequent meeting, Ordinance 1249, establishing Article VII of Chapter 22 of the Vernon Municipal Code authorizing overload vehicle permits. Motion carried, 5-0.

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

PRESENTATIONS

2. Results of the Fiscal Year 2017 Financial Audit
   Presented by: Vasquez & Company LLP, Independent Certified Public Accountant

Peggy McBride, Vasquez & Company LLP Independent Certified Public Accountant, provided a PowerPoint Presentation.

Mayor Pro-Tem Woodruff-Perez requested a copy of the presentation as well as last year’s financial audit report.

CONSENT CALENDAR

No public comment was provided.

It was moved by Martinez and seconded by Lopez to approve all matters listed under the Consent Calendar under one motion as presented. Motion carried, 5-0.

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

Claims Against the City – Received and Filed

3. Claim for Damages from Jerry Chavez received January 23, 2018

4. Claim for Damages from Gloria Ajtun received January 23, 2018

Minutes – To be Received and Filed

5. Minutes of the Regular City Council Meeting held January 16, 2018

6. Minutes of the Special City Council Meeting held January 18, 2018

Warrant Registers

7. Ratification of the following City Warrant Register to record the following voided checks:

   A. City Warrant Register No. 1467 to record voided Check No. 353808 in the amount of $214.00; and
B. City Warrant Register No. 1474 to record voided Check No. 354914 in the amount of $1,900.10.

8. Approval of City Warrant Register No. 1487, totaling $2,517,098.03, which covers the period of January 9 through January 29, 2018, and consists of the following:
   A. Ratification of wire transfers totaling $1,940,818.15; and
   B. Ratification of the issuance of early checks totaling $548,081.10; and
   C. Authorization to issue pending checks totaling $28,198.78.

9. Approval of Light & Power Warrant Register No. 452, totaling $7,006,471.60, which covers the period of January 9 through January 29, 2018, and consists of the following:
   A. Ratification of wire transfers totaling $6,867,580.54; and
   B. Ratification of the issuance of early checks totaling $129,749.70
   C. Authorization to issue pending checks totaling $9,141.36

10. Approval of Gas Warrant Register No. 240, totaling $2,562,294.62, which covers the period of January 9 through January 29, 2018, and consists of the following:
   A. Ratification of wire transfers totaling $2,552,163.33; and
   B. Ratification of the issuance of early checks totaling $10,131.29.

City Clerk Department

11. A Resolution of the City Council of the City of Vernon, California making technical updates to the ballot language for the Utility Users Tax Measure R for the City’s General Municipal Election of April 10, 2018, to comply with recent updates to California Elections Code Section 13119(b)

   Recommendation:
   A. Find that adoption of the proposed resolution is exempt from California Environmental Quality Act (“CEQA”) review, because it is an administrative activity of government 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 a resolution updating (only) the ballot language for the Utility Users Tax Measure R for the General Municipal Election of April 10, 2018 to comply with recent updates in law to CA Elections Code §13119(b) effective January 1, 2018.

Fire Department

12. Activity Report for the period of January 1 through January 15, 2018

Police Department

13. Activity Log and Statistical Summary of Arrests and Activities for the period of January 1, through January 15, 2018, to be received and filed

Public Utilities Department

14. Renewable Portfolio Standard (RPS) Annual Status Report for Calendar Year 2017
Recommendation:

A. Find that the Renewable Portfolio Standard (RPS) Annual Status Report is exempt from California Environmental Quality Act (CEQA) review because, as a continuing administrative activity, such is not a “project” as defined in CEQA Guidelines Section 15378. And even if such activity were a “project,” it would be exempt from CEQA review in accordance with CEQA Guidelines Section 15307 and 15308 because the RPS activity managed by Vernon Public Utilities is aligned with regulatory provisions to maintain, restore, or enhance the environment; and

B. Receive and file the annual Renewable Portfolio Standard (RPS) Report for Calendar Year 2017, as report is for informational purposes only.

15. Authorize the Issuance of a Purchase Order with Schweitzer Engineering Laboratories, Inc. c/o Matzinger-Keegan Inc. (MKI) for Substation Real-Time Automation Controllers (RTAC) and Event Collection Software TEAM

Recommendation:

A. Find that approval of the proposed action is exempt from California Environmental Quality Act ("CEQA") review, because accepting and awarding a quote 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 components of Vernon Public Utilities ("VPU") electric substation protective relay controllers, 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 equipment where the new equipment will be located on the same site as the equipment replaced and will have substantially the same purpose and capacity as the equipment replaced

B. Authorize issuance of a Purchase Order to Schweitzer Engineering Laboratories, Inc. (“SEL”) c/o Martzinger-Keegan, Inc. (“MKI”) in an amount not to exceed $84,360.99 including taxes and fees, for the purchase of equipment related to the City’s electric substation protective relay operations.

16. Authorize the Issuance of a Purchase Order to Omicron Electronics Corp USA (“Omicron”) for one Omicron CMC 356 Test Set

Recommendation:

A. Find that approval of the proposed action is exempt from California Environmental Quality Act ("CEQA") review because accepting and awarding a quote 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. Approve and authorize the issuance of a Purchase Order to Omicron Electronics Corp USA for an amount not to exceed $60,772.52, including taxes and fees, for one (1) Omicron CMC 356 Test Set and Accessories.

Public Works

17. Building Department Report for the Month of December 2017

18. Acceptance of Electrical Easement at 4415 Bandini Boulevard (APN 5243-019-021)
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.

NEW BUSINESS

Public Utilities Department

19. Desert Harvest or Maverick Solar Project – Power Sales Agreement Between the City of Vernon and the Southern California Public Power Authority

Recommendation:

A. Find that the approval requested in this staff report is not a “project” subject to the California Environmental Quality Act (CEQA) under Guidelines section 15378 because it involves the administrative activity of purchasing power; and even if this approval were a “project” subject to CEQA, the approval requested is exempt in accordance with CEQA Guidelines Section 15301(b), the general rule that CEQA only applies to projects that may have an effect on the environment because purchasing power is purely a financial transaction, and any construction that may occur by a private party in the future in reliance on this approval would be subject to CEQA review by another governmental agency at that time when actual details of any physical proposal would be more than speculative; and

B. Approve the Desert Harvest or Maverick Solar Project Power Sales Agreement between the City of Vernon (“City”) and Southern California Public Power Authority (“SCPPA”), in substantially the same form herewith, for the purpose of purchasing solar power with associated green attributes in compliance with the Renewable Resources Procurement Plan and Enforcement Program in force at the City; and

C. Authorize the General Manager of Public Utilities to execute the Desert Harvest or Maverick Solar Project Power Sales Agreement between the City and SCPPA, in substantially the same form herewith, which includes the purchase of twelve (12) megawatts of solar power over the term of 25 years beginning with the project commercial operation date of December 1, 2020.

General Manager Kelly Nguyen reported on the proposed.

No public comment was provided.

It was moved by Woodruff-Perez and seconded by Davis to approve the Desert Harvest or Maverick Solar Project Power Sales Agreement between the City of Vernon (“City”) and Southern California Public Power Authority (“SCPPA”), for the purpose of purchasing solar power with associated green attributes in compliance with the Renewable Resources Procurement Plan and Enforcement Program in force at the City and authorize the General Manager of Public Utilities to execute the Desert Harvest or Maverick Solar Project Power Sales Agreement between the City and SCPPA, which includes the purchase of twelve (12) megawatts of solar power over the term of 25 years beginning with the project commercial operation date of December 1, 2020. Motion carried, 5-0.
Ybarra: Yes
Woodruff-Perez: Yes
Davis: Yes
Martinez: Yes
Lopez: Yes

**ORAL REPORTS**

20. City Administrator Reports – brief reports on activities and other brief announcements.

City Administrator Carlos Fandino reported on the following: Power outages throughout the City; public informational meeting on February 14th regarding future power resource plans; First Police Department-wide meeting on February 1st; February 2nd Huntington Park Police Department’s bomb threat evacuation; Fire incidents throughout the City; California Municipal Utilities Association Capitol Day 2018; California League of Cities: City Manager’s Department Meeting; Business and Industry Meeting on February 8th; and possible upcoming community outreach events.

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

At 9:38 a.m., the City Council entered into closed session to discuss the following agendized items:

**CLOSED SESSION**

22. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

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

At 9:51 a.m. the City Council exited closed session. City Attorney Hema Patel reported that one item was discussed and that no reportable action was taken.

With no further business, at 9:51 a.m., Mayor Ybarra adjourned the meeting.

________________________
Melissa Ybarra
Mayor

ATTEST:

________________________
Maria E. Ayala
City Clerk