MINUTES OF THE REGULAR CITY COUNCIL MEETING OF THE CITY OF VERNON HELD TUESDAY, MARCH 6, 2018, IN COUNCIL CHAMBER OF CITY HALL LOCATED AT 4305 SANTA FE AVENUE, VERNON, CALIFORNIA

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; Councilmember Davis led the flag salute.

CHANGES TO THE AGENDA

Deputy City Clerk Matthew Ceballos 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.

Antonio Chapa, District Director for the Office of First District Supervisor Hilda Solis, introduced new office staff and spoke about upcoming events and a desire to coordinate with the City.

PRESENTATIONS

1. Life-Savings Award
   Presented by: Anthony Miranda, Police Chief

   Police Chief Anthony Miranda provided the Life-Savings awards to Police Sargent Jerry Chavez, Police Officer Maria Madrigal and Police Officer Fernando Valenzuela.

   Councilmember Lopez joined the meeting at 9:03 a.m.

   Vladimir Levis spoke about his experience and thanked the awardees for saving his life.

CONSENT CALENDAR

No public comment was provided.

It was moved by Woodruff-Perez and seconded by Davis 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

2. None

Minutes – To be Received and Filed

3. Minutes of the Regular City Council Meeting held February 20, 2018

Warrant Registers
4. Approval of City Warrant Register No. 1489, totaling $1,177,396.16, which covers
the period of February 13 through February 26, 2018, and consists of the following:
   A. Ratification of wire transfers totaling $867,607.77; and
   B. Ratification of the issuance of early checks totaling $292,055.76; and
   C. Authorization to issue pending checks totaling $17,732.63
   D. Voided check No. 357023 totaling $40,000.00.

5. Approval of Light & Power Warrant Register No. 454, totaling $7,460,450.28, which
covers the period of February 13 through February 26, 2018, and consists of the
following:
   A. Ratification of wire transfers totaling $7,343,757.07; and
   B. Ratification of the issuance of early checks totaling $116,693.21

6. Approval of Gas Warrant Register No. 242, totaling $1,959,443.10, which covers
the period of February 13 through February 26, 2018, and consists of the following:
   A. Ratification of wire transfers totaling $1,926,585.83; and
   B. Ratification of the issuance of early checks totaling $32,857.27.

7. Approval of RDA Obligation Retirement Fund Warrant Register No. 42, totaling
$3,930.00, which covers the period of February 13 through February 26, 2018, and consists of the following:
   A. Ratification of wire transfers totaling $3,930.00.

City Administration Department

8. City Administrator Determination of Consultants Required to File Annual
Statements of Economic Interests (Form 700) for Calendar Year 2017
   Recommendation:
   A. Receive and file the attached report entitled “Consultants Required to File
Statements of Economic Interests (Form 700) Under the Vernon Conflict of Interest
Code for Calendar Year 2017” in accordance with the requirements of the
California Political Reform Act and the Master Conflict of Interest Code for the
City of Vernon and all City of Vernon agencies, boards, and commissions.

Police Department

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

Public Utilities Department

10. Risk Assessment of Wildfire Caused by Overhead Electrical Lines and Equipment
in Compliance with Senate Bill 1028: Wildfire Mitigation Plans (Hill, Chapter 598,
Statutes of 2016)
   Recommendation:
   A. Find that approval of the proposed action is exempt under the 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. Determine that Vernon Public Utilities (VPU) electric service territory is not at risk of catastrophic wildfire resulting from VPU electrical lines and equipment, consistent with the assessment performed by the Vernon Fire Department.

Public Works Department

11. Sub-Recipient Agreement for the Purpose of the Proposition 1 Storm Water Agreement

Recommendation:

A. Find that approval of the Sub-Recipient Agreement proposed in this staff report is exempt under the California Environmental Quality Act (“CEQA”) because it is an administrative activity that will not affect the environment and therefore is not a “project” as defined in CEQA Guidelines section 15378, and to the extent approving the Sub-Recipient Agreement can be deemed a “project,” it is part and parcel of the larger project of designing and constructing the infiltration cistern, for which the City of Bell Gardens has obligated itself to be the “Lead Agency,” as defined in CEQA Guidelines section 15367, pursuant to section 1.6 of the Sub-Recipient Agreement; and

B. Approve the Sub-recipient Agreement between the City of Vernon the cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park, Maywood (hereinafter referred to as “Sub-recipients”), and the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (“GWMA”) for the purposes of the Proposition 1 Storm Water Agreement for the implementation John Anson Ford Park Infiltration Cistern, Phase I (“Project”). The City of Vernon’s proportional share of Local Match funds for the implementation of the Project is $212,743.82 including GWMA’s administration fee. The term of the Sub-Recipient Agreement commences the date on which the final Sub-Recipient duly executes the Sub-Recipient Agreement and shall continue through the date of filing the notice of completion plus 20 years for maintenance;

C. Authorize the City Administrator to execute the Sub-recipient Agreement on behalf of the City of Vernon.

NEW BUSINESS

Public Utilities

12. Resolution No. 2018-07 - A Resolution of the City Council of the City of Vernon amending Natural Gas Rate Schedule No. G-2 for gas distributed and supplied by the City within its boundaries

Recommendation:

A. Find that approval of the proposed action is exempt under the California Environmental Quality Act (“CEQA”) review, because it is a governmental 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. Adopt a Resolution Amending Natural Gas Rate Schedule G-2 for Gas Distributed and Supplied by the City within its Boundaries.

General Manager Kelly Nguyen reported on the proposed.

No public comment was provided.
It was moved by Woodruff-Perez and seconded by Martinez to adopt Resolution No. 2018-07. Motion carried, 5-0.

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

13. **Award of an Engagement Letter Agreement to Morgan, Lewis & Bockius, LLP for Legal Counsel Asset Acquisition Services**

**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. Approve an Engagement Letter Agreement with Morgan, Lewis & Bockius, LLP for Legal Counsel Asset Acquisition Services, for an estimated amount of approximately $450,000 and for a term not to exceed three years; and

C. Authorize the City Administrator to execute an Engagement Letter Agreement, in substantially the same form as submitted herewith, with Morgan, Lewis & Bockius, LLP

General Manager Nguyen reported on the proposed.

No public comment was provided.

It was moved by Davis and seconded by Martinez to approve an Engagement Letter Agreement with Morgan, Lewis & Bockius, LLP for Legal Counsel Asset Acquisition Services, for an estimated amount of approximately $450,000 and for a term not to exceed three years and Authorize the City Administrator to execute an Engagement Letter Agreement with Morgan, Lewis & Bockius, LLP. Motion carried, 5-0.

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

**Public Works**

14. **Resolution No. 2018-08 - A Resolution of the City Council of the City of Vernon authorizing the City Administrator to execute a Restricted Grant Agreement with the State of California, acting by and through the Department of Transportation, to accept an FY 2017-18 Caltrans Sustainable Transportation Planning Grant for the preparation of the Vernon LA River Path Active Transportation Access Plan (LA RIVER ATAP)**

**Recommendation:**

A. Find that the acceptance of the Caltrans Sustainable Transportation Planning Grant is categorically exempt under the California Environmental Quality Act ("CEQA") in accordance with Section 15306, because grant funds would be used solely for 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. Adopt a resolution accepting the Caltrans Sustainable Transportation Planning Grant for the preparation of the Vernon LA River Path Active Transportation Access Plan (LA RIVER ATAP) and authorizing the City Administrator to enter into a Restricted Grant Agreement with Caltrans for the grant amount of $210,800.

Public Works Director Daniel Wall reported on the proposed.

No public comment was provided.

It was moved by Martinez and seconded by Woodruff-Perez to adopt Resolution No. 2018-07. Motion carried, 5-0.

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

15. Contract Award for City Contract No. CS-0849: Remodel of 4321 & 4325 Furlong Place

**Recommendation:**

A. Find that the proposed Capital Improvement Project is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301, Existing Facilities, part (a), because the project is merely to make interior or exterior alterations involving partitions, plumbing, and electrical conveyances; and

B. Accept the bid of Song N Sons General Construction, Inc. as the lowest responsive and responsible bidder for the renovation of two City-owned single family units located at 4321 Furlong Place and 4325 Furlong Place and reject all other bids; and

C. Approve and authorize the City Administrator to execute a contract (No. CS-0849) in the amount of $262,580 for the renovation of two City-owned single family units for a period not to exceed 120 calendar days; and

D. Authorize a contingency of $30,000 in the event of an unexpected changed condition in the project and grant authority to the City Administrator to issue a change order for an amount up to the contingency amount, if necessary.

Director Wall reported on the proposed.

Mayor Ybarra inquired about various improvement and alterations to the units. Director Wall responded with the technical information.

No public comment was provided.

It was moved by Davis and seconded by Martinez to approve the bid of Song N Sons General Construction, Inc. as the lowest responsive and responsible bidder for the renovation of two City-owned single family units located at 4321 Furlong Place and 4325 Furlong Place and reject all other bids, and approve and authorize the City Administrator to execute a contract (No. CS-0849) in the amount of $262,580 for the renovation of two City-owned single family units for a period not to exceed 120 calendar days, and authorize a contingency of $30,000 in the event of an unexpected changed condition in the project and grant authority to the City Administrator to issue a change order for an amount up to the contingency amount, if necessary. Motion carried, 4-0.

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

ORAL REPORTS

16. City Administrator Reports – brief reports on activities and other brief announcements.
City Administrator Carlos Fandino reported on the following: Fire Department Class One designation evaluation by the Insurance Services Office; ongoing Fire training; a March 1st CalPERS pension reform meeting; the upcoming Vernon Housing Commission meeting on March 14th; ongoing 2018/2019 Budget Planning; and City Hall security measures.

Police Chief Miranda provided a brief summary of the ongoing evaluation of City Hall security measures.

A dialogue ensued between the City Council and staff regarding the elements and details of the security measures.

City Administrator Fandino continued his reports on the following: The City’s Spring Egg-stravaganza on March 22nd.

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

Prior to entering into closed session Senior Deputy City Attorney Brian Byun announced the known facts and circumstances of one of the cases in closed session, being that it involves an environmental investigation and clean-up of a hazardous waste landfill in West Covina.

At 9:31 a.m., the City Council entered into closed session to discuss the following agendized items:

CLOSED SESSION

18. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation.

Government Code Section 54956.9(d)(2)

Number of potential cases: 4

At 10:14 a.m. the City Council exited closed session. Senior Deputy City Attorney Brian Byun reported that 4 items were discussed and that no reportable action was taken.

With no further business, at 10:14 a.m., Mayor Ybarra adjourned the meeting.

Melissa Ybarra
Mayor

ATTEST:

Maria E. Ayala
City Clerk