CALL TO ORDER & FLAG SALUTE

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

The meeting was called to order at 9:00 a.m. by Mayor Pro Tempore William Davis. City Administrator Carlos Fandino led the flag salute.

CHANGES TO THE AGENDA

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

PUBLIC COMMENT

No public comment provided.

PRESENTATION

1. Badge Presentation Ceremony
   Recommendation: No action required by City Council. This is a presentation only.

   Fire Chief Bruce English introduced newly promoted Fire Fighter/Paramedic, Raymond De Nijs and provided a brief summary of Mr. De Nijs’ career as a Firefighter.

   Firefighter/Paramedic De Nijs was pinned by his sister Sabrina De Nijs. Fire Chief Bruce English also presented Mr. De Nijs with the Paramedic Shield.

2. Presentation of Grantee Certificates and Report on FY 2018/2019 Docket III 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 III 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 Ayala, introduced the Grant Recipients: Family Health Care of Greater Los Angeles, Raquel Villa, CEO; Helpline Youth Counseling, Jeff Farber, Executive Director; Human Services Association, Darren Dunaway, Associate Director; The Whole Child, Constanza Pachon, CEO; Woodcraft Rangers, Marcia Salvary, Chief Development Officer.

   Mayor Pro Tempore Davis presented the Grantee Certificates to the Grant Recipients who were present.

   It was moved by Melissa Ybarra and seconded by Leticia Lopez to: 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 III 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. Motion carried, 3 - 0.

Yes: William Davis, Leticia Lopez, Melissa Ybarra  
No: None

3. Second Quarter Fiscal Year 2019 City Wide Financial Update  
**Recommendation:** No action required by City Council. This is a presentation only.

William Fox, Director of Finance, conducted the PowerPoint presentation.

No comment public provided

**CONSENT CALENDAR**

4. Minutes of the Regular City Council Meeting held on March 5, 2019  
**Recommendation:** A. Receive and File

5. 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. 17 to record voided Check No. 602178 in the amount of $45.00 issued 02/12/19 to CAALAC.

6. Approval of City Payroll Warrant Register No. 753 Covering the Period of February 01 through February 28, 2019  
**Recommendation:** A. Approve City Payroll Warrant Register No. 753 which totals $3,440,188.83 and consists of the following:

1) Ratification of direct deposits, checks and taxes totaling $2,708,432.90.  
2) Checks and electronic fund transfers (EFT) paid through General bank account totaling $731,755.93.

7. Approval of Operating Account Warrant Register No. 18 Covering the Period of February 26 through March 11, 2019  
**Recommendation:** A. Approve Operating Account Warrant Register No. 18 which totals $8,181,682.49 and consists of the following:

1) Ratification of electronic payments totaling $7,387,845.81.  
2) Ratification of the issuance of early checks totaling $754,808.85.  
3) Authorization to issue pending checks totaling $39,027.83.

8. Approval of Federal Funds for Street Improvements Account Warrant Register No. 26 Covering the Period of February 26 through March 11, 2019  
**Recommendation:** A. Approve Federal Funds for Street Improvements Account Warrant Register No. 26 which totals $13,278.00 and consists of the following:

1) Ratification of electronic payments totaling $13,278.00.

9. Fire Department Activity Report for the Period of February 1 through February 15, 2019  
**Recommendation:** A. Receive and file.

10. Fire Department Activity Report for the Period of February 16 through February 28, 2019  
**Recommendation:** A. Receive and file.

11. Vernon Police Department Activity Log and Statistical Summary for the period of February 16 through February 28, 2019  
**Recommendation:** A. Receive and file.
No public comment provided.

It was moved by Leticia Lopez and seconded by Melissa Ybarra to approve the Consent Calendar items 4 through 11. Motion carried, 3 - 0.

Yes: William Davis, Leticia Lopez, Melissa Ybarra
No: None

ORAL REPORTS

Anthony Miranda, Police Chief, reported on the following: an update regarding the enforcing of the parking prohibitions on 52nd Street.

Councilmember Lopez inquired as to what happens when there are residents who park in a visitor space. Police Chief Miranda replied accordingly.

Bruce English, Fire Chief, reported on the following: Vernon Firefighters will receive “Crude by Rail” training with costs covered by BNSF; on May 16th, Fire Units responded to a reported structure fire at Owen Illinois; on March 27th, all Council Members and City staff are invited to the graduation of Vernon Fire Academy Class 23 at Fire Station 76.

Daniel Wall, Director of Public Works, reported on the following: on March 25th Public Works Department will conduct a Housing Lottery for a one bedroom apartment.

Todd Dusenberry, Assistant General Manager of Public Utilities, reported on the following: on March 7th the City experienced a power outage due to mylar balloons, a total of 33 customers experienced interrupted service.

Fredrick Agyin, Health and Environmental Control Director, reported on the following: Department of Toxic Substance Center (DTSC) is hosting an Exide Cleanup Public Hearing, staff will attend this meeting tonight; the Health Department is working with IT to update the City’s website to include a link to the DTSC Exide Cleanup website for more updated cleanup information.

Maria Ayala, City Clerk reported on the following: the ballots for the April 9, 2019 General Municipal Election have been mailed to eighty (80) registered voters; on or before April 9th, the Voters are welcome to drop-off their voted ballot in person at the City Clerk counter or mail the ballot in the postage paid envelope; on April 9th they may also drop-off in person at the Ballot Drop-off Location at Fire Station 76.

Carlos Fandino, City Administrator, reported on the following: the next Green Vernon Commission Meeting will be held on Wednesday, March 20th at 3:30 p.m.; on March 28th, the City will be hosting the Vernon Community Event at which there will be a variety of outreach, and an opportunity for the Candidates running for City Council to speak to the residents.

William Davis, Mayor Pro Tempore, announced that Mayor Woodruff-Perez acted inappropriately by making false representation of the City of Vernon City Council’s endorsement of one of the candidates running for City Council on the upcoming General Municipal Election on April 9th at the last City Council meeting. He added that staff extended an invitation to the two remaining candidates an opportunity to lead the flag salute, with both candidates declining.

Mayor Pro Tempore Davis made a motion for City Council to agendize a resolution to censure the Mayor and for consideration of other possible action.

Hema Patel, City Attorney, explained the motion to censure procedures. She further emphasized that this is a motion requesting to agendize a resolution to censure for inappropriate behavior in the interest of the legislative body, and that no discussion on the subject matter should take place at this time.
It was moved by William Davis and seconded by Melissa Ybarra to agendize a resolution to censure the Mayor and for consideration of other possible action. Motion carried, 3 - 0.

Yes: William Davis, Leticia Lopez, Melissa Ybarra

No: None

The City Council entered closed session at 9:42 a.m.

CLOSED SESSION

12. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation.

Government Code Section 54956.9(d)(2) and (4)

Number of potential cases: 1

The City is currently in a dispute with Bicent (California) Malburg, LLC (“Bicent”), the owner and operator of the Malburg Generating Station (“MGS”), which has resulted in both parties issuing cross-Notices of Default under that certain Power Purchase Tolling Agreement, dated as of April 10, 2008 (as amended, the “PPTA”). The City’s claims relate to, among other things, Bicent’s failure to timely repair equipment, failure to timely produce documents requested under the PPTA, misrepresentation of available capacity, and improper overbilling. The City’s claims also include various statutory claims arising out of the improper billing by Bicent of Vernon. Bicent, meanwhile, claims, among other things, that the City has been negligent in maintaining and operating the City’s interconnection distribution system, which is, in Bicent’s belief, a proximate cause of damage to certain equipment at MGS. The City denies these claims. The parties are currently engaged in an informal dispute resolution process provided for under the PPTA.

At 10:07 a.m. City Council exited closed session. City Attorney Hema Patel reported that one item was discussed with no reportable action taken.

ADJOURNMENT

With no further business, at 10:07 a.m. Mayor Pro Tempore William Davis adjourned the meeting.

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Yvette Woodruff-Perez
Mayor

ATTEST:

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Maria E. Ayala
City Clerk