CALL TO ORDER & FLAG SALUTE

The meeting was called to order at 9:00 a.m. by Mayor Ybarra. Mayor Pro Tempore Lopez led the Flag Salute.

Members Present: Melissa Ybarra, Leticia Lopez, William Davis, Carol Menke
Members Absent: None

CHANGES TO THE AGENDA

Interim City Clerk Harrington announced there were no changes to the agenda.

PUBLIC COMMENT

No Public Comment provided.

PUBLIC HEARING

1. Adoption of the Citywide Budget for Fiscal Year 2019/2020

Recommendation: A. Find that adoption of the resolution proposed in this staff report is exempt from the California Environmental Quality Act (“CEQA”), because adoption of the budget is the creation of a government funding mechanism or other government fiscal activity that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and is therefore not a “project” as defined under Section 15378(b)(4). Further, even if adoption of the budget were considered a “project,” it would be exempt from CEQA review in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment; and

B. Conduct a Public Hearing; and

C. Adopt a resolution approving the citywide balanced budget for Fiscal Year 2019/2020, with estimated budgeted revenues and expenditures of $329,670,129.

Mayor Ybarra opened the Public Hearing at 9:01 a.m.
City Administrator Fandino provided a brief summary of the proposed Citywide Budget for the Fiscal Year 2019/2020.

Council Member Menke inquired as to the cost of the contract for the outsourcing of City’s services and the calculated savings relating to the reorganization of the Public Works Department. Director of Public Works Wall responded accordingly.

A dialogue ensued between City Council and staff relating to the reclassification, relocation, and elimination of Public Works staff, time utilized to conduct inspections, vacated positions within the Public Works Department, and inspector duties relating to code enforcement activities.

Public Comment:

Marissa Olguin, Vernon Chamber of Commerce, communicated that the overall business community supports a hybrid solution of outsourcing City Public Works services and expressed support for the City’s vision. She further elaborated that there are a couple of critical positions that are valuable to the City and are required for the general function of the department.

Steven Hansen, Hansen Construction, spoke about the uniqueness of the City of Vernon, its quality of service and objection to outsourcing certain Public Works services.

Matt Simon, SimonGlover Architects, commented on the importance of the service provided by the building department employees and the effect it has on the application and development permit process.

David Freitag, Daum Commercial Real Estate, commented as to the quality of service provided to him by City employees as an owner of a real estate company.

Robert Fu, Design Group Facility Solutions, commented that the City’s staff are responsive and very familiar with the unique industrial territory.

Richard Lucas, CEG Construction, commented as to the excellent and valuable service provided by staff in the Building Department and expressed concern as to the proposed outsourcing of City’s services.

Barry Segal, Segal and REA Architects, commented as to the staff’s knowledge concerning the projects and buildings in the City.

Jerry Sackler, Daum Commercial Real Estate, spoke in support of the Building Department staff and the excellent service provided by the employees.

Jack Cline, Lee & Associates, spoke about the value and quality of service provided by the Public Works Building Department.
Ken Jackson, Camfield Partners – Anvic Construction, spoke about the outsourcing of the Fire and Building Departments and the impact on the City. Mr. Jackson also commented on the cost impact associated with the timing of the final inspections.

Thomas Condon, Colliers International, suggested staff step back and rethink the proposed elimination of the building inspectors and commented as to his positive interactions with the building inspectors.

Dooman Thorosian, Director Engineer, GT’s Living Foods, spoke in support of the building inspectors and their excellent customer service.

H. Bab, rPlanet Earth, spoke in support of the building inspectors and their valuable service.

Stuart Levenshus, MD Stainless Services, spoke in support of the building inspectors and their valuable service.

Carlos Rubio, Teamsters Local 911, commented that outsourcing of City services will reduce the quality and the value of service in the City.

Jim Moore, Senior Electrical Inspector, commented as to his job qualifications as a building inspector and provided a brief overview of the services provided to the customers on a daily basis.

Travis Moser, Design Group, spoke in support of the building inspectors and their valuable service.

Ray Whitmer, Teamster Local 911, spoke about finding new solutions to increase revenues in the Public Work Department to maintain sustainability.

City Administrator Fandino expressed appreciation for the public’s comments, summarized proposed changes in the Public Works Department budget, reiterated the City’s limited revenue streams and stressed ongoing internal efforts to maximize efficiencies and ensure the City’s long term success.

Mayor Ybarra closed the Public Hearing at 10:00 a.m.

A discussion ensued between City Council and staff as to the outsourcing of City services, previous fee studies conducted by the Public Works Department, modifications to the proposed budget, maintaining the three inspector positions, the opportunity to restructure the Building Department as needed, sustainability of the Building Department, and future consideration of new fee structures.

Mayor Ybarra recessed the meeting at 10:10 a.m.

Mayor Ybarra reconvened the meeting at 10:24 a.m.

It was moved by Mayor Ybarra and seconded by Mayor Pro Tempore Lopez to: A. Find that adoption of the resolution proposed in this staff report is exempt from the California
Environmental Quality Act (“CEQA”), because adoption of the budget is the creation of a government funding mechanism or other government fiscal activity that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and is therefore not a “project” as defined under Section 15378(b)(4). Further, even if adoption of the budget were considered a “project,” it would be exempt from CEQA review in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment; and B. Adopt a resolution approving the citywide balanced budget for Fiscal Year 2019/2020, with estimated budgeted revenues and expenditures of $329,670,129, with a modification of increasing the Public Works budget by a net difference of $500,000.00, including retention of the three inspector positions and reinstatement of the Building and Planning Manager from last year’s budget and all other components of the proposed budget to remain the same. Motion carried, 4 - 0.

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

PRESENTATION

2. Employee Service Pin Awards for July 2019
   Recommendation: No action required by City Council. This is a presentation only.

Director of Human Resources Earl announced the Service Pin Award Recipient, Firefighter/Paramedic, Jonathan Sudduth.

Mayor Ybarra presented the Employee Service Pin Award to Firefighter/Paramedic, Jonathan Sudduth.

3. Recognition of Various Fire Safety Retired Employees
   Recommendation: A. Acknowledge and present proclamations to the following retired Fire Safety employees, in recognition of their dedicated service to the City of Vernon:
   1. Fire Captain Stephen G. Agon
   2. Fire Captain David A. Moore
   3. Fire Captain Rory J. Moore
   4. Fire Captain Steven M. Ruffoni
   5. Fire Engineer Christopher M. Hanson
   6. Fire Engineer David E. Koltvet
   7. Fire Engineer Jeffrey S. Neely
   8. Fire Engineer Michael D. Rogers
   9. Fire Engineer Jeffrey S. Smith
   10. Firefighter/Paramedic Thomas J. Egan
   11. Firefighter Douglas C. Barker
   12. Firefighter Barry A. Schoolmeester

Director of Human Resources Earl reported on the Recognition of the retired Fire Department Fire Safety Employees, who were not in attendance.
CONSENT CALENDAR

Council Member Menke requested Agenda Item No. 9 be pulled from the Consent Calendar for discussion.
Mayor Ybarra requested Agenda Item No. 11 be pulled from the Consent Calendar for discussion.

No Public Comment provided.

It was moved by William Davis and seconded by Leticia Lopez to approve Consent Calendar Items No. 4 through No. 8 and Item No. 10. Motion carried, 4 - 0.

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

4. Minutes of the Regular City Council Meeting Held on August 6, 2019
Recommendation: A. Receive and File

5. Approval of City Payroll Warrant Register No. 758 Covering the Period of July 01 through July 31, 2019
Recommendation: A. Approve City Payroll Warrant Register No. 758 which totals $3,620,402.88 and consists of the following:

1) Ratification of direct deposits, checks and taxes totaling $2,882,978.59.
2) Checks and electronic fund transfers (EFT) paid through Operating bank account totaling $737,424.29.

6. Approval of Operating Account Warrant Register No. 28 Covering the Period of July 30 through August 12, 2019
Recommendation: A. Approve Operating Account Warrant Register No. 28 which totals $3,426,429.33 and consists of the following:

2) Ratification of the issuance of early checks totaling $785,962.22.
3) Authorization to issue pending checks totaling $47,279.87.
4) Voided check No. 603548 totaling $88.12.

7. Fire Department Activity Report for the Period of July 16 through July 31, 2019

8. Federal Equitable Sharing Agreement and Annual Certification Report
Recommendation: A. Find that granting authority to execute and submit the above referenced agreement and related documents is exempt from California Environmental Quality Act ("CEQA") review, 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; and

B. Approve the Federal Equitable Sharing Agreement and Annual Certification Report, in substantially the same form as submitted herewith; and

C. Authorize the Police Chief and City Administrator to execute the Federal Equitable Sharing Agreement and Annual Certification Report and submit to the Department of Justice and the Department of Treasury on behalf of the City of Vernon.

9. Vernon Police Department Activity Log and Statistical Summary for the period of July 1 through July 15, 2019
   
   **Recommendation:** Removed from Consent Calendar for discussion and action - A. Receive and file.

10. Award of Services Agreement with Sally Swanson Architects, Inc. for City Contract No. CS-1110: Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan
    
    **Recommendation:** A. Find that the approval of the proposed services agreement with Sally Swanson Architects, Inc. to prepare a citywide accessibility evaluation and transition plan is exempt under the California Environmental Quality Act ("CEQA") in accordance with Sections 15262 (Feasibility and Planning Studies) and 15306 (Information Collection); and

    B. Approve a Services Agreement with Sally Swanson Architects, Inc., in substantially the same form as attached herewith, for an amount not to exceed $139,930.00 for the preparation of a Citywide Accessibility Evaluation and Transition Plan; and

    C. Authorize the City Administrator to execute a Services Agreement with Sally Swanson Architects, Inc. for a one-year term and an effective date of August 20, 2019.

11. Reject all Bids Received for City Contract No. CS-1055: Remodel of 3361 Fruitland Avenue
    
    **Recommendation:** Removed from Consent Calendar for discussion and action - A. Find that the subject 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. Reject all bid proposals received for City Contract No. CS-1055: Remodel of 3361 Fruitland Avenue.
9. Vernon Police Department Activity Log and Statistical Summary for the period of July 1 through July 15, 2019

   **Recommendation:** A. Receive and file.

Council Member Menke inquired as to one of the incidents reported on the Vernon Police Department Activity Log and Statistical Summary. Police Chief Miranda responded accordingly.

No Public Comment provided.

11. Reject all Bids Received for City Contract No. CS-1055: Remodel of 3361 Fruitland Avenue

   **Recommendation:** Removed from Consent Calendar for discussion and action - A. Find that the subject 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. Reject all bid proposals received for City Contract No. CS-1055: Remodel of 3361 Fruitland Avenue.

Director of Public Works Wall reported on the Reject all Bids Received for City Contract No. CS-1055: Remodel of 3361 Fruitland Avenue.

Mayor Ybarra inquired as to the high value of the bids received and the estimated time for the completion of the project. Director of Public Works Wall responded accordingly.

No Public Comment provided.

It was moved by Mayor Ybarra and seconded by Mayor Pro Tempore Lopez to: A. Receive and File Item No. 9, the Vernon Police Department Activity Log and Statistical Summary for the period of July 1 through July 15, 2019; and A. Find that the subject Capital Improvement Project for Item No. 11 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. Reject all bid proposals received for City Contract No. CS-1055: Remodel of 3361 Fruitland Avenue. Motion carried, 4 - 0.

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

**NEW BUSINESS**

12. Amendment No. 1 to the Reimbursement Agreement with the Consolidated Fire Protection District of Los Angeles County

   **Recommendation:** A. Find that the approval of Amendment No. 1 with the Fire Protection District of Los Angeles County 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. Approve Amendment No. 1 to the Reimbursement Agreement with the Consolidated Fire Protection District of Los Angeles County ("LA County Fire"), in substantially the same form as submitted herewith, for an amount not-to-exceed $100,000; and

C. Authorize the City Administrator to execute Amendment No. 1 with LA County Fire for the purpose of initiating a Municipal Services Review to be performed by the Los Angeles County Local Agency Formation Commission ("LAFCO").

City Administrator Fandino reported on Amendment No. 1 to the Reimbursement Agreement with the Consolidated Fire Protection District of Los Angeles County.

No Public Comment provided.

It was moved by Council Member Davis and seconded by Council Member Menke to: A. Find that the approval of Amendment No. 1 with the Fire Protection District of Los Angeles County 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; B. Approve Amendment No. 1 to the Reimbursement Agreement with the Consolidated Fire Protection District of Los Angeles County ("LA County Fire"), in substantially the same form as submitted herewith, for an amount not-to-exceed $100,000; and C. Authorize the City Administrator to execute Amendment No. 1 with LA County Fire for the purpose of initiating a Municipal Services Review to be performed by the Los Angeles County Local Agency Formation Commission ("LAFCO"). Motion carried, 4 - 0.

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

13. Amendment No. 1 to the Services Agreement between the City of Vernon and JSB Fire Protection, LLC
   Recommendation: A. Find that the approval 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 Amendment No. 1 to the Services Agreement with JSB Fire Protection, LLC, (Contract No. FD-0224), in substantially the same form as submitted herewith, increasing the existing not-to-exceed amount of
$78,000.00 by an additional $85,000.00, for a total contract value of $163,000.00; and

C. Authorize the City Administrator to execute Amendment No. 1 with JSB Fire Protection, LLC to cover the cost of anticipated fire plan checks through the remainder of the contract term.

Fire Chief English reported on Amendment No. 1 to the Services Agreement between the City of Vernon and JSB Fire Protection, LLC.

No Public Comment provided.

It was moved by Council Member Menke and seconded by Council Member Davis to: A. Find that the approval 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; B. Approve Amendment No. 1 to the Services Agreement with JSB Fire Protection, LLC, (Contract No. FD-0224), in substantially the same form as submitted herewith, increasing the existing not-to-exceed amount of $78,000.00 by an additional $85,000.00, for a total contract value of $163,000.00; and C. Authorize the City Administrator to execute Amendment No. 1 with JSB Fire Protection, LLC to cover the cost of anticipated fire plan checks through the remainder of the contract term. Motion carried, 4 - 0.

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

14. Award of a Professional Services Agreement to Mott MacDonald Group, Inc. for Technical, Engineering, and EIR Documents Review Services for the California High-Speed Rail Project

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 research and analysis, 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 Professional Services Agreement with Mott MacDonald Group, Inc. (“Mott MacDonald”), in substantially the same form as submitted herewith, for Technical, Engineering, and Environmental Impact Report (“EIR”) Documents Review Services for the California High-Speed Rail Project; and

C. Authorize the City Administrator to execute the Professional Services Agreement in an amount not to exceed $155,875.50 for Phase I of the Agreement and in an amount not to exceed $228,895.37 for Phase II of the Agreement, for a total cost of $384,770.87.
Director of Public Works Wall reported on the Award of the Professional Services Agreement to Mott MacDonald Group, Inc. for Technical, Engineering, and EIR Documents Review Services for the California High-Speed Rail Project. Mayor Ybarra inquired as to why the cost of the second phase of the services agreement is not reimbursable by the California High-Speed Rail Authority. Director of Public Works Wall responded accordingly.

Council Member Davis inquired as to the number of surrounding businesses that will be affected by the project and the prospects of re-routing the project segments. Director of Public Works Wall responded accordingly.

No Public Comment provided.

It was moved by Council Member Davis and seconded by Mayor Pro Tempore 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 research and analysis, which will not result in a serious or major disturbance to any environmental resource and which will not commit the City to any project; B. Approve a Professional Services Agreement with Mott MacDonald Group, Inc. (“Mott MacDonald”), in substantially the same form as submitted herewith, for Technical, Engineering, and Environmental Impact Report (“EIR”) Documents Review Services for the California High-Speed Rail Project; and C. Authorize the City Administrator to execute the Professional Services Agreement in an amount not to exceed $155,875.50 for Phase I of the Agreement and in an amount not to exceed $228,895.37 for Phase II of the Agreement, for a total cost of $384,770.87. Motion carried, 4 - 0.

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

15. Award of Services Agreement to Richard C. Slade & Associates LLC for On-Call Professional Hydrogeological Services

Recommendation: A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines § 15306, because the scope of the agreement consists of research, analysis, and resource evaluation activities which will not result in serious or major disturbances to environmental resources and which will not commit the City to any project; and

B. Approve a Services Agreement with Richard C. Slade & Associates LLC, in substantially the same form as submitted herewith, in an amount not to exceed $375,000 for On-Call Professional Hydrogeological Services; and

C. Authorize the City Administrator to execute the Services Agreement with Richard C. Slade & Associates LLC with an effective date of September 1, 2019.

No Public Comment provided.

It was moved by Mayor Pro Tempore Lopez and seconded by Council Member Menke to:  A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines § 15306, because the scope of the agreement consists of research, analysis, and resource evaluation activities which will not result in serious or major disturbances to environmental resources and which will not commit the City to any project; B. Approve a Services Agreement with Richard C. Slade & Associates LLC, in substantially the same form as submitted herewith, in an amount not to exceed $375,000 for On-Call Professional Hydrogeological Services; and C. Authorize the City Administrator to execute the Services Agreement with Richard C. Slade & Associates LLC with an effective date of September 1, 2019. Motion carried, 4 - 0.

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

ORAL REPORTS

City Administrator Fandino reported on the following: the Family Game Night Event was a success and upcoming events include: U.S. Trade Workshop, on Thursday, August 29th; and Vernon Free Tree Workshop on Saturday, September 14th.

Police Chief Miranda reported on the following: on August 6th, Vernon PD hosted the National Night Out; on August 9th, Vernon PD Officers participated on the Pink Patch Night at Dodger’s Stadium, and several incidents throughout the City; and on August 30th, Vernon PD will conduct a DUI check point.

Director of Health and Environmental Control Department Agyin reported on the following: staff attended the Los Angeles County Local Agency Formation Commission meeting; the request for Greater Los Angeles Vector Control District (GLACVCD) extended out-of-agency service agreement with the City of Vernon mosquito abatement services was approved; and staff is working with GLACVCD to draft the contract extension for review and approval.

CLOSED SESSION

City Council entered Closed Session at 10:58 a.m.

16. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Potential Initiation of Litigation.

Government Code Section 54956.9(d)(4)

Number of potential cases: 1

17. CONFERENCE WITH LABOR NEGOTIATORS
Government Code Section 54957.6

Agency Designated Representative: Carlos Fandino, City Administrator
Employee Organizations:

Teamsters Local 911,  
IBEW Local 47,  
Vernon Professional Firefighters Association, and  
Vernon Fire Management Association,

18. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (2)  
Government Code Section 54956.9(d)(1)

Bicent (California) Malburg LLC et al. v. City of Vernon et al.,  
Los Angeles Superior Court Case Nos. 19STCV08859 and 19STCP02411

City of Vernon v. Bicent (California) Malburg LLC et al.  
JAMS Reference No. 1220062657

At 11:58 a.m. City Council exited Closed Session. Senior Deputy City Attorney Byun reported that the pending litigation was discussed with City Council, noting the City Council took action on Item No. 16 to approve certain agreements and authorize the City Administrator to execute said agreements. Motion carried, 4 – 0.

ADJOURNMENT

With no further business, at 12:00 p.m., Mayor Ybarra adjourned the meeting.

________________________
Melissa Ybarra
Mayor

ATTEST:

________________________
Deborah A. Harrington  
Interim City Clerk