CALL TO ORDER & FLAG SALUTE

The meeting was called to order at 9:00 a.m. by Mayor Ybarra. Interim Fire Chief Enriquez led the Flag Salute.

Members Present: Mayor Melissa Ybarra, Mayor Pro Tempore Leticia Lopez, and Council Members William Davis and Carol Menke
Members Absent: None

CHANGES TO THE AGENDA

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

CLOSED SESSION

City Council entered Closed Session at 9:01 a.m.

1. CONFERENCE WITH LABOR NEGOTIATORS
   Government Code Section 54957.6
   Agency Designated Representative: Carlos Fandino, City Administrator
   Employee Organizations: Teamsters Local 911, Vernon Professional Firefighters Association, and Vernon Fire Management Association

2. 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 No. 19STCV08859
   City of Vernon v. Bicent (California) Malburg LLC
   Los Angeles Superior Court Case No. 19STCP02411 and JAMS Reference No. 1220062657

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Potential Initiation of Litigation.
   Government Code Section 54956.9(d)(2)
   Number of potential cases: 1
At 9:35 a.m., the Council exited Closed Session. City Attorney Patel reported that all Closed Session items were discussed and the Council unanimously approved Amendment No. 2 to the Engagement Letter Agreement between the City of Vernon and Morgan Lewis.

PUBLIC COMMENT

None.

PRESENTATION

4. Recognition of Retiring Employee - Todd R. Schoenig, Fire Battalion Chief

Recommendation: A. Acknowledge and present a proclamation to retiring employee Todd R. Schoenig, Fire Battalion Chief, in recognition of his dedicated service to the City of Vernon.

Interim City Clerk Harrington announced the Proclamation in recognition of retiring employee Todd R. Schoenig, Fire Battalion Chief, who was not in attendance.

5. A Proclamation Declaring the Month of October 2019 as "National Breast Cancer Awareness Month" in the City of Vernon

Recommendation: A. Acknowledge and announce a Proclamation declaring the Month of October 2019 as "National Breast Cancer Awareness Month" in the City of Vernon

Interim City Clerk Harrington read the Proclamation declaring the Month of October 2019 as "National Breast Cancer Awareness Month" in the City of Vernon.

6. City of Vernon Water Rate Study and Water Rate Schedule Adoption Process (Proposition 218 Compliance)

Presentation by: City staff and Dan Bergmann of Interstate Gas Services, Inc.

Recommendation: This item is a presentation only. No action required by City Council.

Interim General Manager of Public Utilities Alemu announced that Todd Dusenberry and City Consultant Dan Bergman would provide the PowerPoint Presentation.

Interim City Clerk Harrington distributed a revised copy of the Public Hearing Notice relating to the Water Rate Study.

Todd Dusenberry, Assistant General Manager of Public Utilities, provided a brief overview of the Vernon Capital Improvement Project Plan and Proposition 218 Compliance. He announced that Water Rate Increase notices would be mailed to customers and parcel owners, and a customer informational meeting would be conducted on October 22, 2019.

Dan Bergman, Interstate Gas Service Consultant, presented a PowerPoint Presentation including a brief overview of the Rate Study Components and highlights.
CONSENT CALENDAR

There were no public comments.

MOTION
Council Member Davis moved and Mayor Pro Tempore Lopez seconded a motion to approve Consent Calendar Item Nos. 7 through No. 17. The motion carried unanimously.

7. Minutes of the Regular City Council Meeting Held on September 17, 2019
   Recommendation: A. Receive and File.

8. Minutes of the Regular City Council Meeting Held on September 3, 2019
   Recommendation: A. Receive and File

9. Minutes of the Regular City Council Meeting Held on August 20, 2019
   Recommendation: A. Receive and File.

10. Approval of Federal Funds for Street Improvements Account Warrant Register No. 30 Covering the Period of September 10 through September 23, 2019
    Recommendation: A. Approve Federal Funds for Street Improvements Account Warrant Register No. 30 which totals $16,600.23 and consists of the following:
     1) Ratification of electronic payments totaling $16,600.23.

11. Approval of Operating Account Warrant Register No. 31 Covering the Period of September 10 through September 23, 2019
    Recommendation: A. Approve Operating Account Warrant Register No. 31 which totals $7,627,184.82 and consists of the following:
     1) Ratification of electronic payments totaling $7,333,554.71.
     2) Ratification of the issuance of early checks totaling $253,527.11.
     3) Authorization to issue pending checks totaling $40,103.00.

12. Fire Department Activity Report for the Period of August 16 through August 31, 2019

13. Amended Building and Planning Manager Job Description
    Recommendation: A. Find that approval of the attached job description revision in this staff report 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 amended Building and Planning Manager Job Description to more accurately reflect the duties, responsibilities and requirements of this position effective October 1, 2019.
14. **Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant Agreement**  
Recommendation: A. Find that the approval of the proposed agreement 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;  
B. Approve an agreement between the City of Vernon and the Office of Traffic Safety, in substantially the same form as submitted herewith, for a one (1) year term; and  
C. Authorize the City Administrator, Police Chief, and Police Sergeant to execute an agreement between the City of Vernon and the Office of Traffic Safety for participation in the Selective Traffic Enforcement Program (STEP) with an effective date of October 1, 2019.

15. **Vernon Police Department Activity Log and Statistical Summary for the period of August 16 through August 31, 2019**  

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;  
B. Ratify the submission to the California Energy Commission of the attestation, signed by Vernon Public Utilities’ Interim General Manager, of the veracity of the 2018 Power Source Disclosure Program Annual Report; and  
C. Approve the 2018 Power Content Label and authorize its submission to the California Energy Commission.

17. **Public Works Department August 2019 Monthly Building Report**  
Recommendation: A. Receive and File.

**NEW BUSINESS**

18. **Resolution Appointing Lisa M. Pope to Serve as City Clerk and Approving and Authorizing the Execution of a Related At-Will Employment Agreement**  
Recommendation: A. Find that approval of the proposed actions are exempt from California Environmental Quality Act (CEQA) review, because they are administrative activities that will not result in direct or indirect physical changes in the environment, and therefore do not constitute a ”project" as defined by CEQA Guidelines section 15378; and  
B. Adopt the resolution appointing Lisa M. Pope to serve as City Clerk of the City of Vernon effective October 7, 2019, and approving and authorizing the execution of a related at-will employment agreement.
Director of Human Resources Earl reported on the resolution appointing Lisa M. Pope to serve as City Clerk and approving and authorizing the execution of a related At-Will Employment Agreement. He provided a brief overview of Ms. Pope’s distinguished qualifications to be appointed as the City Clerk for the City of Vernon.

There were no public comments.

MOTION
Council Member Menke moved and Mayor Pro Tempore Lopez seconded a motion to: A. Find that approval of the proposed actions are exempt from California Environmental Quality Act (CEQA) review, because they are administrative activities that will not result in direct or indirect physical changes in the environment, and therefore do not constitute a "project" as defined by CEQA Guidelines section 15378; and B. Adopt the resolution appointing Lisa M. Pope to serve as City Clerk of the City of Vernon effective October 7, 2019, and approving and authorizing the execution of a related at-will employment agreement. The motion carried unanimously.

19. Amendment No. 2 to the Services Agreement with Vasquez and Company LLP for Professional Auditing Services for Fiscal Years 2016-2018
Recommendation: A. Find that approval of the proposed action is exempt from 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 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;

B. Find that it is in the best interest of the City to approve a direct award of the contract and exempt this amendment from competitive selection based on this determination pursuant to City Code Article IV Section 2.17.12(B)(2);

C. Approve Amendment No. 2 to the services agreement with Vasquez & Company LLP for professional auditing services for fiscal years 2016-2018, in substantially the same form as submitted herewith, renewing the agreement through August 6, 2020 for a total not to exceed amount of $110,000 for the renewal term;

D. Authorize the City Administrator to execute Amendment No. 2 to provide Audit Services for one additional Fiscal Year (Year Ended June 30, 2019) to audit the Annual Financial Report of the City and Epic Land Solution's Phase II Asset Valuation Report.

City Administrator Fandino reported on Amendment No. 2 to the Services Agreement with Vasquez and Company LLP for Professional Auditing Services for Fiscal Years 2016-2018.

Mayor Ybarra inquired as to the Request for Proposals for auditing services solicited by the City. Administrator Fandino responded accordingly.
Roger A. Martinez, CPA Partner – Audit Practice Leader, Vasquez and Company LLP, addressed the Council regarding concerns surrounding the Vasquez and Company LLP legal issues raised during the previous City Council meeting and civil litigation which had been resolved.

In response to Council Member Menke, Mr. Martinez stated the firm was subject to a nondisclosure agreement in the settlement.

A dialogue ensued between the Council and staff as to valuation of infrastructures, uncompleted valuations, modified opinions relating to estimates, best practices as to the time frame to retain an auditing firm to provide auditing services, City assets, estimated time for Vasquez & Company to complete last year’s Annual Financial Report, and Requests for Proposals for auditing services for next fiscal year auditing.

There were no public comments.

MOTION
Council Member Davis moved and Mayor Pro Tempore Lopez seconded a motion to: A. Find that approval of the proposed action is exempt from 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 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; B. Find that it is in the best interest of the City to approve a direct award of the contract and exempt this amendment from competitive selection based on this determination pursuant to City Code Article IV Section 2.17.12(B)(2); C. Approve Amendment No. 2 to the services agreement with Vasquez & Company LLP for professional auditing services for fiscal years 2016-2018, in substantially the same form as submitted, renewing the agreement through August 6, 2020 for a total not to exceed amount of $110,000 for the renewal term; and D. Authorize the City Administrator to execute Amendment No. 2 to provide Audit Services for one additional Fiscal Year (Year Ended June 30, 2019) to audit the Annual Financial Report of the City and Epic Land Solution's Phase II Asset Valuation Report. The motion carried, 3 – 1, Council Member Menke dissenting.

20. **Agreement with the Consolidated Fire Protection District of Los Angeles County for Dispatch Services**

Recommendation: A. Find that the approval of the proposed actions are 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. Repeal the City Council's approval of the Agreement with the Consolidated Fire Protection District of Los Angeles County for Dispatch Services approved by minute order on September 3, 2019; and
C. Approve a revised Agreement with the Consolidated Fire Protection District of Los Angeles County for Dispatch Services, in substantially the same form as submitted herewith, to provide dispatch services at a rate of $40.13 per incident in addition to start-up costs (annual dispatch service cost estimated to be $73,438 and start-up transition costs estimated to be $521,609); and

D. Authorize the Mayor to execute a Services Agreement with the Fire District, to provide dispatch services to the City of Vernon with a tentative effective date of October 21, 2019; and

E. Authorize for the termination of the current dispatch services agreement with the City of Burbank, the City of Glendale and the City of Pasadena (hereinafter referred to collectively as the “Verdugo Cities”) effective the day after the dispatch service agreement with Fire District takes effect.

Interim Fire Chief Enriquez reported on the agreement with the Consolidated Fire Protection District of Los Angeles County for Dispatch Services.

Mayor Ybarra commented that she was under the impression that the dispatch services agreement with the City of Burbank, City of Glendale, and City of Pasadena was terminated when City Council approved the dispatch agreement with the Consolidated Fire Protection District of Los Angeles County. Interim Fire Chief Enriquez responded accordingly.

There were no public comments.

MOTION
Council Member Menke moved and Mayor Pro Tempore Lopez seconded a motion to: A. Find that the approval of the proposed actions are 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. Repeal the City Council's approval of the Agreement with the Consolidated Fire Protection District of Los Angeles County for Dispatch Services approved by minute order on September 3, 2019; C. Approve a revised Agreement with the Consolidated Fire Protection District of Los Angeles County for Dispatch Services, in substantially the same form as submitted herewith, to provide dispatch services at a rate of $40.13 per incident in addition to start-up costs (annual dispatch service cost estimated to be $73,438 and start-up transition costs estimated to be $521,609); D. Authorize the Mayor to execute a Services Agreement with the Fire District, to provide dispatch services to the City of Vernon with a tentative effective date of October 21, 2019; and E. Authorize for the termination of the current dispatch services agreement with the City of Burbank, the City of Glendale and the City of Pasadena (hereinafter referred to collectively as the “Verdugo Cities”) effective the day after the dispatch service agreement with Fire District takes effect. The motion carried unanimously.

21. A Resolution of the City Council of the City of Vernon Approving a Side Letter of Agreement by and between the City of Vernon and the Vernon Professional Firefighters Association, Local 2312
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. Adopt the resolution approving the Side Letter of Agreement by and between the City of Vernon and the Vernon Professional Firefighters Association, Local 2312.

Director of Human Resources Earl reported on the resolution approving a Side Letter of Agreement by and between the City of Vernon and the Vernon Professional Firefighters Association, Local 2312.

There were no public comments.

MOTION
Council Member Davis moved and Mayor Pro Tempore Lopez seconded a motion to: 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. Adopt the resolution approving the Side Letter of Agreement by and between the City of Vernon and the Vernon Professional Firefighters Association, Local 2312. The motion carried unanimously.

22. A Resolution of the City Council of the City of Vernon Approving a Side Letter of Agreement by and between the City of Vernon and the Vernon Fire Management Association

Recommendation: A. Find that approval of the attached resolution in this staff report 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. Adopt the resolution approving the Side Letter of Agreement by and between the City of Vernon and the Vernon Fire Management Association.

Interim City Clerk Harrington distributed a revised copy of Exhibit B of the Side Letter which reflected current changes.

Director of Human Resources Earl reported on the resolution approving a Side Letter of Agreement by and between the City of Vernon and the Vernon Fire Management Association.

In response to Mayor Ybarra, Director of Human Resources Earl explained the changes to the Exhibit B of the Side Letter of Agreement.

There were no public comments.
MOTION
Council Member Menke moved and Council Member Davis seconded a motion to: A. Find that approval of the attached resolution in this staff report 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. Adopt the resolution approving the Side Letter of Agreement by and between the City of Vernon and the Vernon Fire Management Association. The motion carried unanimously.

ORAL REPORTS
City Administrator Fandino reported on recent events including: United States Attorney’s Office for the Central District of California Coffee for the Cops; Arbor Day Celebration and dedication for John Van De Kamp. He summarized activities of the Vernon Police Department, Fire Department and Public Utilities Water Division. He discussed the upcoming election, indicating 16 ballots had been received. He announced that he, City Attorney Patel, and Interim Fire Chief Enriquez would be attending a meeting with Los Angeles County Fire Chief Osby to discuss the Fire Department transition; Vernon Police Department Jail Haunted House at the upcoming Halloween Event; and authorization for staff to wear Dodger attire during the playoff games.

ADJOURNMENT
With no further business, at 10:49 a.m., Mayor Ybarra adjourned the meeting.

Melissa Ybarra
Mayor

ATTEST:

Lisa Pope
City Clerk