CALL TO ORDER & FLAG SALUTE

The meeting was called to order at 9:00 a.m. by Mayor Ybarra, who also 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

City Clerk Pope announced staff would be pulling Agenda Item No. 6 from the Consent Calendar for individual consideration.

PUBLIC COMMENT

None.

PUBLIC HEARING

1. A Resolution Establishing a Transmission Revenue Balancing Account Adjustment for 2020 in Accordance with Vernon’s Transmission Owner Tariff and Providing for Tariff Sheet Changes to Implement the Adjustment

   Recommendation: A. Find that approval of this action is exempt from California Environmental Quality Act (“CEQA”) review, because it is a fiscal and 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. Conduct a Public Hearing; and C. Adopt a resolution establishing a Transmission Revenue Balancing Account Adjustment for 2020 in accordance with Vernon’s Transmission Owner Tariff and providing for Tariff Sheet changes to implement the adjustment.

   Mayor Ybarra opened the Public Hearing.

   Interim General Manager of Public Utilities reported on the Resolution Establishing a Transmission Revenue Balancing Account Adjustment for 2020 in Accordance with Vernon's Transmission Owner Tariff and Providing for Tariff Sheet Changes to Implement the Adjustment.

   Council Member Menke sought further clarification as to the Transmission Revenue Balancing Account adjustment. Interim General Manager of Public Utilities Alemu responded that the adjustment was due to an accounting error.

   There being no speakers, Mayor Ybarra closed the Public Hearing.

   MOTION

   Council Member Davis moved and Council Member Menke seconded a motion to: A. Find that approval of this action is exempt from California Environmental Quality Act (“CEQA”) review, because it is a fiscal and 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 establishing a Transmission Revenue Balancing Account Adjustment for 2020 in accordance with Vernon’s Transmission Owner Tariff and providing for Tariff Sheet changes to implement the adjustment. The motion carried unanimously.

October 15, 2019

Recommendation: A. Find that approval of this action is exempt from California Environmental Quality Act ("CEQA") review, because it is a fiscal and 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. Conduct a Public Hearing; and C. Adopt a resolution adopting a new gross load and new transmission revenue requirement for 2020 in accordance with Vernon's Transmission Owner Tariff and providing for Tariff Sheet changes to implement the adjustment.

Mayor Ybarra opened the Public Hearing.

Interim General Manager of Public Utilities Alemu reported on the Resolution adopting New Gross Load and New Transmission Revenue Requirement for 2020 in accordance with Vernon’s Transmission Owner Tariff and providing for Tariff Sheet Changes to implement the adjustment.

In response to Council questions, Interim General Manager Alemu provided a brief breakdown of the current gross load.

There being no speakers, Mayor Ybarra closed the Public Hearing.

MOTION
Mayor Pro Tempore Lopez moved and Council Member Davis seconded a motion to: A. Find that approval of this action is exempt from California Environmental Quality Act ("CEQA") review, because it is a fiscal and 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 adopting a new gross load and new transmission revenue requirement for 2020 in accordance with Vernon's Transmission Owner Tariff and providing for Tariff Sheet Changes to implement the adjustment. The motion carried unanimously.

PRESENTATION

3. Department of Toxic Substances Control (DTSC) Update on Environmental Clean-Up Efforts for the Former Thermador Site Located at 5119-5309 District Blvd.
Recommendation: A. Find that the actions recommended in this staff report do not constitute a "project" pursuant to Section 45378(b)(2) of the Guidelines to the California Environmental Quality Act ("CEQA") because such recommendations constitute an administrative activity; and even if the proposed actions do constitute a project, it would be exempt from CEQA in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and B. Receive and file a presentation updating the City Council on DTSC’s environmental clean-up efforts for the former Thermador site.

Director of Health and Environmental Control Department Agyin announced that Department of Toxic Substances Control (DTSC) staff would provide the PowerPoint Presentation.

Amanda Dominguez, DTSC Public Participation Specialist, and Patrick Movlay, DTSC Project Manager, provided a PowerPoint Presentation regarding an update to the environmental clean-up efforts for the former Thermador site, public outreach, DTSC workplan review.

The Council discussed groundwater level investigation and initial clean-up efforts.

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

Director of Human Resources Earl announced the Service Pin Award Recipients: Anthony Hinojos, Senior Water Maintenance Worker and Lilia Hernandez, Executive Assistant to the City Administrator, and Mayor Ybarra presented the Employee Service Pin Awards.

CONSENT CALENDAR
There were no public comments.

As indicated under Changes to the Agenda, Item No. 6 was pulled from the Consent Calendar for individual consideration:

MOTION
Council Member Davis moved and Mayor Pro Tempore Lopez seconded a motion to approve Consent Calendar Item Nos. 5 and 7 through 14. The motion carried unanimously.

5. **Enterprise License Agreement (ELA) with Microsoft**
   Recommendation: A. Find the approval of the proposed agreement with Microsoft 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 as a "project" as defined by CEQA Guidelines Section 15378;
   B. Approve a new Enterprise License Agreement (ELA) with Microsoft, in substantially the same form as attached to the agenda report, for a period of three years;
   C. Authorize the City Administrator to execute the Enterprise License Agreement with Microsoft with an effective date of October 15, 2019; and
   D. Authorize the issuance of a Purchase Contract to Insight Public Sector in an amount not to exceed $173,532.87 over the three-year term of the ELA with Microsoft.

7. **Council Conference Attendance Report**
   Recommendation: A. Find that receiving this Council Conference Attendance Report 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. Receive and file.

8. **Minutes of the Regular City Council Meeting Held on October 1, 2019**
   Recommendation: A. Receive and File

9. **Approval of City Payroll Warrant Register No. 760 Covering the Period of September 1 through September 30, 2019**
   Recommendation: A. Approve City Payroll Account Warrant Register No. 760 which totals $2,821,475.18 and consists of the following:
   1) Ratification of direct deposits, checks and taxes totaling $2,187,491.44
   2) Ratification of checks and electronic fund transfers (EFT) paid through Operating bank account totaling $633,983.74

10. **Approval of Operating Account Warrant Register No. 32 Covering the Period of September 24 through October 7, 2019**
    Recommendation: A. Approve Operating Account Warrant Register No. 32 which totals $7,978,970.09 and consists of the following:
    1) Ratification of electronic payments totaling $7,604,916.82.
    2) Ratification of the issuance of early checks totaling $357,659.93.
    3) Authorization to issue pending checks totaling $16,393.34.

11. **Special Event Insurance for Fiscal Year 2019-20**
    Recommendation: A. Find that approval of the purchase of special event casualty insurance for fiscal year 2019-20 is exempt from California Environmental Quality Act (CEQA) review because it is a continuing administrative and fiscal activity that will not result in direct or indirect physical changes in the environment and, therefore does not constitute a “project,” as defined in Section 15378 of the CEQA Guidelines; and
    B. Approve the Proposal and Application for special events insurance coverage for four events the City will be having during fiscal year 2019-2020, in substantially the same form as submitted herewith, for a total amount not to exceed $937.00; and
    C. Authorize the City Administrator to execute the Proposal and Application for special events insurance coverage.
12. **Fire Department Activity Report for the Period of September 1 through September 15, 2019**  

13. **Vernon Police Department Activity Log and Statistical Summary for the period of September 1 through September 15, 2019**  

14. **License Agreement with Crown Poly, Inc. for Temporary Use of a Portion of the Property Located at 2800 E. 50th St. in Vernon**  
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines § 15061(b)(3), the general rule that CEQA only applies to activities that may have a significant effect on the environment; and  
B. Approve the License Agreement with Crown Poly, Inc., in substantially the same form as submitted herewith, for Temporary Use of a Portion of Property Located at 2800 E. 50th St., Vernon, CA 90058 for an amount not to exceed $1.00; and  
C. Authorize the City Administrator to execute the License Agreement with Crown Poly, Inc. to be effective October 14, 2019 through February 28, 2020.

The following item was pulled from the Consent Calendar for individual consideration:

6. **Ratification of Mayor’s Appointment of Eligible Individuals to Serve on the Vernon Housing Commission**  
Recommendation: A. Find that ratification of the Mayor’s appointment of eligible individuals to serve on the Vernon Housing Commission 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. Ratify the Mayor’s appointment of Jorge Nevarez Jr. to serve on the Vernon Housing Commission in the Business Representative Seat No. 1 with a term of July 1, 2019 to June 30, 2023;  
C. Ratify the Mayor’s appointment of Ronit Edry to serve on the Vernon Housing Commission in the Business Representative Seat No. 3 with a term of July 1, 2019 to June 30, 2023; and  
D. Ratify the Mayor's appointment of Marlene Ybarra to serve on the Vernon Housing Commission in a Resident Representative Seat No. 2 with a term of July 1, 2019 to June 30, 2023.

City Administrator Fandino reported on the Ratification of Mayor’s Appointment of Eligible Individuals to Serve on the Vernon Housing Commission and provided a brief background as to the recruitment selection criteria.

A dialogue ensued between the Council and staff regarding the recruitment process, advertising of current and upcoming vacancies, concerns relating to the selection process and potential conflict of interest, and retroactive appointment of the selected candidates.  
There were no public comments.

**MOTION**  
Mayor Pro Tempore Lopez moved and Council Member Davis seconded a motion to:  
A. Find that ratification of the Mayor’s appointment of eligible individuals to serve on the Vernon Housing Commission 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. Ratify the Mayor’s appointment of Jorge Nevarez Jr. to serve on the Vernon Housing Commission in the Business Representative Seat No. 1 with a term of July 1, 2019 to June 30, 2023.  
The motion carried 3-1, Council Member Menke dissenting.

**MOTION**  
Mayor Pro Tempore Lopez moved and Council Member Davis seconded a motion to:  
A. Find that ratification of the Mayor’s appointment of eligible individuals to serve on the Vernon Housing Commission 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 C. Ratify the Mayor’s appointment of Ronit Edry to serve on the Vernon Housing
Commission in the Business Representative Seat No. 3 with a term of July 1, 2019 to June 30,
2023. Th emotion carried unanimously.

MOTION
Council Member Davis moved and Mayor Pro Tempore Lopez seconded a motion to: A. Find that
ratification of the Mayor’s appointment of eligible individuals to serve on the Vernon Housing
Commission 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 D. Ratify the Mayor's appointment of Marlene Ybarra to serve on the Vernon Housing
Commission in a Resident Representative Seat No. 2 with a term of July 1, 2019 to June 30, 2023.
The motion carried 3-1, Council Member Menke dissenting.

NEW BUSINESS

15. A Resolution Appointing Scott Williams to Serve as Director of Finance/City
Treasurer and Approving and Authorizing the Execution of a Related At-Will
Employment Agreement
Recommendation: A. Find that approval of the proposed action is 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 Scott Williams to serve as Director of Finance/City
Treasurer of the City of Vernon effective November 4, 2019, and approving and
authorizing the execution of a related at-will employment agreement.

Director of Human Resources Earl reported on the Resolution Appointing Scott Williams to Serve
as Director of Finance/City Treasurer and Approving and Authorizing the Execution of a Related
At-Will Employment Agreement.

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 action is 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 Scott Williams to serve as
Director of Finance/City Treasurer of the City of Vernon effective November 4, 2019, and
approving and authorizing the execution of a related at-will employment agreement. The motion
carried unanimously.

16. A Resolution Approving and Authorizing the Execution of a Memorandum of
Understanding by and between the City of Vernon and the Consolidated Fire
Protection District of the County of Los Angeles for Fire Battalion Chief Services
Recommendation: A. Find that the 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 and authorizing the execution of a Memorandum of
Understanding by and between the City of Vernon and the Consolidated Fire Protection
District of the County of Los Angeles for Fire Battalion Chief Services.

Director of Human Resources Earl reported on the Resolution Appointing Scott Williams to Serve
as Director of Finance/City Treasurer and Approving and Authorizing the Execution of a Related
At-Will Employment Agreement.
There were no public comments.

MOTION
Council Member Davis moved and Mayor Pro Tempore Lopez seconded a motion to: A. Find that the 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 and authorizing the execution of a Memorandum of Understanding by and between the City of Vernon and the Consolidated Fire Protection District of the County of Los Angeles for Fire Battalion Chief Services. The motion carried unanimously.

17. A Resolution Approving and Adopting the Vernon Public Utilities Department Resource Adequacy Plan for 2020
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act ("CEQA") review, because it is a fiscal and 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 a resolution approving and adopting the Public Utilities Department Resource Adequacy Plan for 2020, which includes the coincident peak Demand Forecast, the Planning Reserve Margin, the Qualifying Capacity Criteria and the Qualifying Capacity from such resources, City’s Resource Adequacy and Supply Data and approving the resources used to satisfy the California Independent System Operator’s (CAISO) tariff requirements; and
C. Authorize staff to submit the City of Vernon Public Utilities Department’s Resource Adequacy Plan for 2020 and the Monthly Resource Adequacy and Supply data to the CAISO.

Interim General Manager of Public Utilities Alemu reported on the Resolution Approving and Adopting the Vernon Public Utilities Department Resource Adequacy Plan for 2020.

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 action is exempt from California Environmental Quality Act ("CEQA") review, because it is a fiscal and 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. Adopt a resolution approving and adopting the Public Utilities Department Resource Adequacy Plan for 2020, which includes the coincident peak Demand Forecast, the Planning Reserve Margin, the Qualifying Capacity Criteria and the Qualifying Capacity from such resources, City’s Resource Adequacy and Supply Data and approving the resources used to satisfy the California Independent System Operator’s (CAISO) tariff requirements; and C. Authorize staff to submit the City of Vernon Public Utilities Department’s Resource Adequacy Plan for 2020 and the Monthly Resource Adequacy and Supply data to the CAISO. The motion carried unanimously.

ORAL REPORTS
City Administrator Fandino reported on recent Vernon Police Department crime investigations and related arrests.

City Clerk Pope provided a brief update as to number of ballots that have been received and processed for signature verification for the Special Municipal Election on October 15, 2019.

City Administrator Fandino continued his report announcing the election canvass; The Great Shake Out exercise on October 17, at 10:17 a.m.; and upcoming City’s Halloween Spooktacular Event. He discussed the possibility of a ballot measure regarding rotation of the Mayor and Mayor Pro Tempore seats.

CLOSED SESSION
The Council entered Closed Session at 10:14 a.m.

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

19. **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 and JAMS Reference No.1100107175  
City of Vernon v. Bicent (California) Malburg LLC  
Los Angeles Superior Court Case No. 19STCP02411 and JAMS Reference No. 1220062657

At 10:42 a.m., the City Council exited Closed Session. City Attorney Patel reported that the Council discussed Item No. 18 and no reportable action taken.

**ADJOURNMENT**

With no further business, at 10:43 a.m., Mayor Ybarra adjourned the meeting.

________________________  
Melissa Ybarra  
Mayor

ATTEST:

_________________________  
Lisa Pope  
City Clerk