CALL TO ORDER & FLAG SALUTE

Mayor Ybarra called the meeting to order at 9:00 a.m. Mayor Pro Tem Lopez led the Flag Salute.

Members Present: Mayor Melissa Ybarra, Mayor Pro Tem Leticia Lopez, Council Members William Davis, Carol Menke, and Diana Gonzales

Members Absent: None.

CHANGES TO THE AGENDA

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

PUBLIC COMMENT

None.

ELECTIONS

1. Results of the Special Municipal Election held on October 15, 2019
   Recommendation: A. Find that the approval of the proposed action is exempt under the California Environmental Quality Act (CEQA) because it is an administrative activity that will not result in direct or indirect physical changes to the environmental, and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; B. Adopt a Resolution declaring the results of the Special Municipal Election held October 15, 2019; and C. Authorize the City Clerk to deliver the Certificate of Election and administer the oath of Office to the new Council Member.

City Clerk Pope presented the staff report.

There were no public comments.

MOTION

Council Member Davis moved and Mayor Pro Tem Lopez seconded a motion to: A. Find that the approval of the proposed action is exempt under the California Environmental Quality Act (CEQA) because it is an administrative activity that will not result in direct or indirect physical changes to the environmental, and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; B. Adopt a Resolution declaring the results of the Special Municipal Election held October 15, 2019; and C. Authorize the City Clerk
to deliver the Certificate of Election and administer the oath of Office to the new Council Member. The question was called and the motion carried unanimously.

City Clerk Pope administered the Oath of Office to newly elected Council Member Diana Gonzales. Council Member Gonzales said a few words and assumed her Council seat at the dais.

Mayor Ybarra called a recess at 9:05 a.m. The meeting reconvened at 9:10 a.m. with all Council Members present.

PUBLIC HEARING

2. Amendments to Vernon Municipal Code Chapter 7 - Fire Regulations, and Adoption of the 2019 California Fire Code by Reference

Recommendation: A. Find that the action proposed is not subject to the California Environmental Quality Act (CEQA) as this ordinance is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, Cal. Pub. Res. Code Section 21065. Under the proposed ordinance, no such activity is being undertaken. Even if the ordinance were to be considered a “project” under CEQA, which is not the case, the ordinance would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the ordinance involves the adoption of state-mandated construction codes, and the revisions to those codes merely improve the safety of buildings and will not have any effect on the environment; and

B. Approve the first reading, and adopt at a subsequent meeting, an ordinance amending various sections of Chapter 7 of the Vernon Municipal Code, along with amendments, additions and deletions and adopting by reference the following code: (1) the 2019 California Fire Code.

Mayor Ybarra opened the Public Hearing.

Director of Public Works Wall presented the staff report.

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

MOTION

Mayor Pro Tem Lopez moved and Council Member Davis seconded a motion to: A. Find that the action proposed is not subject to the California Environmental Quality Act (CEQA) as this ordinance is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, Cal. Pub. Res. Code Section 21065. Under the proposed ordinance, no such activity is being undertaken. Even if the ordinance were to be
considered a “project” under CEQA, which is not the case, the ordinance would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the ordinance involves the adoption of state-mandated construction codes, and the revisions to those codes merely improve the safety of buildings and will not have any effect on the environment; and B. Approve the first reading, and adopt at a subsequent meeting, an ordinance amending various sections of Chapter 7 of the Vernon Municipal Code, along with amendments, additions and deletions and adopting by reference the following code: (1) the 2019 California Fire Code. The question was called and the motion carried unanimously.


Recommendation: A. Find that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) as this ordinance is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, Cal. Pub. Res. Code Section 21065. Under the proposed ordinance, no such activity is being undertaken. Even if the ordinance were to be considered a “project” under CEQA, which is not the case, the ordinance would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the ordinance involves the adoption of state-mandated construction codes, and the revisions to those codes merely improve the safety of buildings and will not have any effect on the environment; and B. Approve the first reading, and adopt at a subsequent meeting, an ordinance amending various sections of Chapter 24 of the Vernon Municipal Code, along with amendments, additions and deletions and adopting by reference the following codes: (1) the 2019 California Building Code, 24 CCR Part 2; (2) the 2019 California Electrical Code, 24 CCR Part 3; (3) the 2006 Edition of the International Code Council (ICC) Electrical Code Administrative Provisions; (4) the 2019 California Mechanical Code, 24 CCR Part 4; (5) the 2019 California Plumbing Code, 24 CCR Part 5; (6) the 2019 California Existing Building Code, 24 CCR Part 10; (7) the 2018 International Existing Building Code; (8) the 2019 California Residential Code, 24 CCR Part 2.5; (9) the 2019 California Green Building Standards Code also known as the CALGreen Code, 24 CCR Part 11, and; (10) the 2019 California Energy Code, 24 CCR Part 6.

Mayor Ybarra opened the Public Hearing.

Director of Public Works Wall presented the staff report.
There being no speakers, Mayor Ybarra closed the Public Hearing.

MOTION

Council Member Davis moved and Mayor Pro Tem Lopez seconded a motion to: A. Find that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) as this ordinance is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, Cal. Pub. Res. Code Section 21065. Under the proposed ordinance, no such activity is being undertaken. Even if the ordinance were to be considered a “project” under CEQA, which is not the case, the ordinance would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the ordinance involves the adoption of state-mandated construction codes, and the revisions to those codes merely improve the safety of buildings and will not have any effect on the environment; and B. Approve the first reading, and adopt at a subsequent meeting, an ordinance amending various sections of Chapter 24 of the Vernon Municipal Code, along with amendments, additions and deletions and adopting by reference the following codes: (1) the 2019 California Building Code, 24 CCR Part 2; (2) the 2019 California Electrical Code, 24 CCR Part 3; (3) the 2006 Edition of the International Code Council (ICC) Electrical Code Administrative Provisions; (4) the 2019 California Mechanical Code, 24 CCR Part 4; (5) the 2019 California Plumbing Code, 24 CCR Part 5; (6) the 2019 California Existing Building Code, 24 CCR Part 10; (7) the 2018 International Existing Building Code; (8) the 2019 California Residential Code, 24 CCR Part 2.5; (9) the 2019 California Green Building Standards Code also known as the CALGreen Code, 24 CCR Part 11, and; (10) the 2019 California Energy Code, 24 CCR Part 6. The question was called and the motion carried unanimously.

4. Amendments to Vernon Municipal Code Chapter 22 - Streets and Sidewalks and Tree City USA Application

Recommendation: A. Find that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) as this ordinance is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, Cal. Pub. Res. Code Section 21065. Under the proposed ordinance, no such activity is being undertaken. Even if the ordinance were to be considered a “project” under CEQA, which is not the case, CEQA Guidelines Section 15308 categorically exempts actions taken by regulatory agencies that assure the maintenance, restoration, enhancement, or protection of the environment. Here, the ordinance involves the adoption procedures with respect to planting and maintaining trees and a tree plan within the City. Further, the request for authorization to submit an application to the Arbor Day Foundation will have no impact on the environment whatsoever;
B. Approve the first reading, and adopt at a subsequent meeting, an ordinance adding Article X to Chapter 22 of the Vernon Municipal Code regarding Streets and Sidewalks to establish the “Tree Ordinance;” and
C. Authorize the Public Works Department to submit an application to the Arbor Day Foundation for Vernon to be designated a Tree City USA.

Mayor Ybarra opened the Public Hearing

Director of Public Works Wall reported on Amendments to Vernon Municipal Code Chapter 22 - Streets and Sidewalks and Tree City USA Application.

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

MOTION
Council Member Menke moved and Mayor Pro Tem Lopez seconded a motion to: A. Find that the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) as this ordinance is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, Cal. Pub. Res. Code Section 21065. Under the proposed ordinance, no such activity is being undertaken. Even if the ordinance were to be considered a “project” under CEQA, which is not the case, CEQA Guidelines Section 15308 categorically exempts actions taken by regulatory agencies that assure the maintenance, restoration, enhancement, or protection of the environment. Here, the ordinance involves the adoption procedures with respect to planting and maintaining trees and a tree plan within the City. Further, the request for authorization to submit an application to the Arbor Day Foundation will have no impact on the environment whatsoever; B. Approve the first reading, and adopt at a subsequent meeting, an ordinance adding Article X to Chapter 22 of the Vernon Municipal Code regarding Streets and Sidewalks to establish the “Tree Ordinance;” and C. Authorize the Public Works Department to submit an application to the Arbor Day Foundation for Vernon to be designated a Tree City USA. The question was called and the motion carried unanimously.

PRESENTATION

5. **California Highway Patrol (CHP) “10851” Grand Theft Auto Recovery Award**
Presentation by: Vernon Police Department and CHP Representative
Recommendation: No action required by City Council. This is a presentation only.

Police Chief Miranda presented the staff report.

California Highway Patrol (CHP) Lieutenant Jeff Briggs and Auto Club of Southern California (AAA) representative, Ben Baltazar, presented the award to Vernon Police Officer, Fernando Valenzuela.

6. **Proclamation Memorializing Sergeant Bobby Gene Baker and Dedicating "Baker Way" in Honor of his Service and Sacrifice to the City of Vernon**
Recommendation: A. Acknowledge and present a proclamation to the family of Sergeant Bobby Gene Baker and dedicating the west driveway of Vernon City Hall as "Baker Way - Private" in honor of his service and sacrifice to the City of Vernon.

City Clerk Pope read the Proclamation memorializing Sergeant Bobby Gene Baker and Dedicating "Baker Way" in Honor of his Service and Sacrifice to the City of Vernon.

Mayor Ybarra presented the proclamation to Sergeant Bobby Gene Baker's son, Lieutenant Brian Baker, Downey Police Department.

CONSENT CALENDAR

MOTION

Council Member Davis moved and Mayor Pro Tem Lopez seconded a motion to approve Consent Calendar Item Nos. 7 through 19. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

7. Minutes of the Regular City Council Meeting Held on October 15, 2019
   Recommendation: A. Receive and File

8. 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. 26 to record Check No. 603337 in the amount of $832.96 issued 06/27/19 to Verizon Wireless.
   2) Operating Account Warrant Register No. 32 to record Check No. 603954 in the amount of $24.82 issued 09/24/19 to Madrigal, Maria.

9. Approval of Operating Account Warrant Register No. 33 Covering the Period of October 8 through October 28, 2019
   Recommendation: A. Approve Operating Account Warrant Register No. 33 which totals $12,462,844.08 and consists of the following:
   1) Ratification of electronic payments totaling $11,970,197.67.
   2) Ratification of the issuance of early checks totaling $457,547.44.
   3) Authorization to issue pending checks totaling $35,098.97.
   4) Voided Check No. 604088 totaling $38.44.

10. Approval of RDA Obligation Retirement Account Warrant Register No. 55 Covering the Period of September 24 through October 28, 2019
    Recommendation: A. Approve RDA Obligation Retirement Account Warrant Register No. 55 which totals $2,250.00 and consists of the following:
    1) Ratification of electronic payments totaling $2,250.00.

11. Fire Department Activity Report for the Period of September 16 through September 30, 2019
    Recommendation: A. Receive and File.

12. Fire Department Activity Report for the Period of October 1 through October 15, 2019
13. Police Department Activity Log and Statistical Summary for the period of September 16 through September 30, 2019

14. Amendment No. 3 to the Agreement for Economic Development Incentive on Electric Service between the City of Vernon and Matheson Trigas, Inc.
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act ("CEQA") review, because it is an administrative and governmental fiscal activity which does not involve any commitment to any specific project and 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. 3 to the Agreement for Economic Development Incentive on Electric Service between the City of Vernon (the "City") and Matheson Trigas, Inc., ("Customer") in substantially the same form as submitted, to reflect the parties’ understanding that the New Customer Class rate schedule applicable to Customer eliminated the voltage discount by incorporating it into the rates, and therefore, the language in Paragraph 2 of the ED Agreement should be modified to reflect a 20% EDR discount only; and
C. Authorize the City Administrator to execute Amendment No. 3 to the Agreement for Economic Development Incentive on electric service with Matheson Trigas, Inc.

15. Notice of Completion - City Contract No. LP-0460 - Well No. 11 Pump and Motor Project
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 to the environment, and therefore does not constitute a “project” as defined by CEQA Guidelines § 15378;
B. Accept the Work by General Pump Company, Inc. with regard to the Well No. 11 Pump and Motor project, Contract No. LP-0460; and
C. Authorize the Interim General Manager of Public Utilities to submit for recordation to the Los Angeles County Registrar-Recorder/County Clerk (“County Clerk”) the Notice of Completion for the Well No. 11 Pump and Motor Project.

16. Notice of Completion - City Contract No. CS-1107 – City Hall East Wing, Garage and City Yard Roof Repairs
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, as it is a governmental administrative activity that will not directly result in physical changes to the environment and is therefore not a "project" as defined by CEQA Guidelines section 15378; and
B. Accept the work of Baja Roofing and Coatings, Inc. as related to City Contract No. CS-1107 - City Hall East Wing, Garage and City Yard Roof Repairs; and
C. Authorize staff to submit the Notice of Completion for Contract No. CS-1107 to the County of Los Angeles Recorder’s Office.

17. Notice of Completion - City Contract No. CS-1093 - Sierra Pine Avenue Improvements
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act ("CEQA") review, as it is a governmental
administrative activity that will not directly result in physical changes to the environment and is therefore not a "project" as defined by CEQA Guidelines section 15378;

B. Accept the work of Hardy & Harper, Inc. as related to City Contract No. CS-1093 – Sierra Pine Avenue Improvements; and

C. Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder’s Office.

18. Notice of Completion - City Contract No. CS-1074 – Public Works, Health and Fire Department Re-carpeting
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, as it is a governmental administrative activity that will not directly result in physical changes to the environment and is therefore not a "project" as defined by CEQA Guidelines section 15378; and

B. Accept the work of G&S Carpet Mills, Inc. as related to City Contract No. CS-1074 - Public Works, Health and Fire Department Re-carpeting; and

C. Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder’s Office.

Recommendation: A. Receive and File.

NEW BUSINESS

20. Findings Supporting Amendments to the 2019 California Fire Code
Recommendation: A. Find that the action proposed is not subject to the California Environmental Quality Act (CEQA) as the resolution is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. CEQA Guidelines section 15378(a); Cal. Pub. Res. Code section 21065. Under the proposed resolution, no such activity is being undertaken. Even if the resolution were to be considered a “project” under CEQA, which is not the case, the resolution would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the resolution involves making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions and will not have any effect on the environment; and

B. Adopt the proposed resolution making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions.

Director of Public Works Wall presented the staff report.
There were no public comments.

**MOTION**

Council Member Menke moved and Mayor Pro Tem Lopez seconded a motion to: A. Find that the action proposed is not subject to the California Environmental Quality Act (CEQA) as the resolution is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. CEQA Guidelines section 15378(a); Cal. Pub. Res. Code section 21065. Under the proposed resolution, no such activity is being undertaken. Even if the resolution were to be considered a “project” under CEQA, which is not the case, the resolution would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the resolution involves making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions and will not have any effect on the environment; and B. Adopt the proposed resolution making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions. The question was called and the motion carried unanimously.


Recommendation: A. Find that the proposed resolution is not subject to the California Environmental Quality Act (CEQA) as the resolution is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. CEQA Guidelines section 15378(a); Cal. Pub. Res. Code section 21065. Under the proposed resolution, no such activity is being undertaken. Even if the resolution were to be considered a “project” under CEQA, which is not the case, the resolution would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the resolution involves making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions and will not have any effect on the environment; and B. Adopt the proposed resolution making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions.

Director of Public Works Wall presented the staff report.
There were no public comments.

**MOTION**

Mayor Pro Tem Lopez moved and Council Member Davis seconded a motion to: A. Find that the proposed resolution is not subject to the California Environmental Quality Act (CEQA) as the resolution is not considered a “project” under CEQA which is defined as an action directly undertaken by a public agency which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. CEQA Guidelines section 15378(a); Cal. Pub. Res. Code section 21065. Under the proposed resolution, no such activity is being undertaken. Even if the resolution were to be considered a “project” under CEQA, which is not the case, the resolution would be covered by the general rule set forth in CEQA Guidelines Section 15061(b)(3) which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Here, the resolution involves making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions and will not have any effect on the environment; and B. Adopt the proposed resolution making express findings and determinations that modifications to each Code are reasonably necessary due to local climatic, geological, or topographical conditions. The question was called and the motion carried unanimously.

**ORAL REPORTS**

City Administrator Fandino reported on recent Vernon Police, Vernon Fire, and Public Utility Department activities. He welcomed newly elected Council Member Gonzales and Finance Director Williams. He reported on the successful Vernon Spooktacular Event and announced the upcoming Holiday Tree Lighting Community Event and the City’s Holiday Christmas party on December 12, 2019.

**RECESS**

Mayor Ybarra recessed the meeting to Closed Session at 9:43 a.m.

**CLOSED SESSION**

22. **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

23. **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

24. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Significant Exposure to Litigation
   Facts and Circumstances: Pursuant to Government Code Section 54956.9(e)(3), the City
   has received written communication threatening litigation on behalf of the Vernon Fire
   Management Association, which communication is made available for public inspection
   pursuant to Section 54957.5.
   Government Code Section 54956.9(d)(2)
   Number of potential cases

RECONVENE
At 10:55 a.m., Mayor Ybarra adjourned Closed Session and reconvened the regular meeting.

Senior Deputy City Attorney Moussa reported that the Council discussed all items and took no
reportable action.

ADJOURNMENT

With no further business, at 10:55 a.m., Mayor Ybarra adjourned the meeting.

__________________________
MELISSA YBARRA, Mayor

ATTEST:

_________________________
LISA POPE, City Clerk