

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 07, 2020
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

Mayor Ybarra called the meeting to order at 9:00 a.m.

FLAG SALUTE

Police Chief Miranda led the Flag Salute.

ROLL CALL

PRESENT: Melissa Ybarra, Mayor
Leticia Lopez, Mayor Pro Tem
William Davis, Council Member
Carol Menke, Council Member
Diana Gonzales, Council Member

STAFF PRESENT:

Carlos Fandino, City Administrator
Hema Patel, City Attorney
Lisa Pope, City Clerk
Scott Williams, Finance Director
Jim Enriquez, Interim Fire Chief
Fredrick Agyin, Health Director
Michael Earl, Human Resources Director
Anthony Miranda, Police Chief
Abraham Alemu, Public Utilities General Manager
Dan Wall, Public Works Director

CHANGES TO THE AGENDA

City Clerk Pope reported that Public Comment would be added to the agenda.

PUBLIC COMMENT

None.

PRESENTATIONS

1. Recognition of Retired Employee - Victor M. Modesto, Fleet Supervisor

Recommendation: Acknowledge and present a proclamation to retired employee Victor M. Modesto, Fleet Supervisor, in recognition of his dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged the proclamation to retired employee Victor M. Modesto, Fleet Supervisor, in recognition of his dedicated service to the City of Vernon and indicated he was not in attendance.

2. Presentation of Grantee Certificates and Report on Fiscal Year (FY) 2019/2020 Docket I Grants Awarded by Vernon CommUNITY Fund Grant Committee

Recommendation: A. Find that receiving this report on grants awarded by the Vernon CommUNITY Fund Grant Committee is exempt from California Environmental Quality Act ("CEQA") review, because it is an administrative action that will not result in direct or indirect physical changes in the environment and, therefore, does not constitute a "project" as defined by CEQA Guidelines section 15378; B. Present Certificates to FY 2019/2020 Docket I Grant Recipients; and C. Receive and file the report, as it is being provided for informational purposes only pursuant to Section 2.167(e) of the Vernon Municipal Code.

City Clerk Pope introduced the Grant Recipients: Jovenes Inc.; Neighborhood Music School; and the Southeast Community Foundation.

Mayor Ybarra presented Certificates of Recognition to the FY 2019/2020 Docket I Grant Recipients.

CONSENT CALENDAR

MOTION

Mayor Pro Tem Lopez moved and Council Member Davis seconded a motion to approve Consent Calendar Items Nos. 3 through 12. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

3. City Council Meeting Minutes

Recommendation: Approve the November 19 and December 3, 2019 Regular City Council meeting minutes.

4. Operating Account Warrant Register No. 36 Covering the Period of November 26 through December 7, 2019

Recommendation: Approve Operating Account Warrant Register No. 36 which totals \$4,046,713.67 and consists of the following: 1) Ratification of electronic payments totaling \$3,780,730.73; and 2) Ratification of the issuance of early checks totaling \$265,982.94.

5. City Payroll Warrant Register No. 762 Covering the Period of November 1 through November 30, 2019

Recommendation: A. Approve City Payroll Account Warrant Register No. 762 which totals \$2,789,902.30 and consists of the following: 1) Ratification of direct deposits, checks and taxes totaling \$2,208,617.32; and 2) Ratification of checks and electronic fund transfers (EFT) paid through Operating bank account totaling \$581,284.98.

6. Ratification of Warrant Registers to Record Checks Voided During the Period of November 26 through December 7, 2019

Recommendation: A. Ratify the following warrant registers to record voided checks: 1) Operating Account Warrant Register No. 24 to record voided Check No. 603153 in the amount of \$1,486.28 issued 06/18/19 to BPP Pac In Reit Prop Owner; 2) Operating Account Warrant Register No. 29 to record voided Check No. 603685 in the amount of \$15,170.85 issued 08/15/19 to CMI Logistics; and 3) Operating Account Warrant Register No. 34 to record voided Check No. 604323 in the amount of \$765.97 issued 11/7/19 to County of Los Angeles.

7. Federal Funds for Street Improvements Account Warrant Register for the Period of November 26 through December 7, 2019

Recommendation: Approve Federal Funds for Street Improvements Account Warrant Register No. 31, for the period of November 26 through December 7, 2019, consisting of ratification of electronic payments totaling \$32,754.71.

8. Fire Department Activity Report for the Period of October 16 through October 31, 2019

Recommendation: Receive and file.

9. Police Department Activity Log and Statistical Summary for the period of November 1 through November 15, 2019

Recommendation: Receive and file.

10. Public Works Department November 2019 Monthly Building Report

Recommendation: Receive and file.

11. Purchase Contract with Motorola Solutions, Inc. for CrimeReports Plus Online System

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. Approve and authorize the City Administrator to execute the Subscription Services Agreement with Motorola Solutions, Inc., in substantially the same form as submitted, in the amount not to exceed \$2,250.00 for an initial term of one year beginning January 7, 2020 and up to two annual renewal terms.

12. Purchase Order with Motorola Solutions, Inc. for Twenty (20) GPS Smart Microphones

Recommendation: A. Find that approval of the proposed action is exempt under the California Environmental Quality Act ("CEQA") review, because it is a government fiscal 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. Ratify the execution of Purchase Order No. 011.0014181 to Motorola Solutions, Inc., ("Motorola") for a total amount not to exceed \$6,515.25 for the purchase of twenty (20) GPS Smart Microphones.

NEW BUSINESS

13. Temporary Advisory Committee to Evaluate the Prospect of Veteran Housing Opportunities in Vernon

Recommendation: A. Find that 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 in the environment, and therefore does not constitute a “project” as defined by CEQA Guidelines section 15378. And even if such action were 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 an effect on the environment; and B. Establish a Temporary Advisory Committee composed of less than a quorum of the Vernon City Council for the sole purpose of evaluating the prospect and feasibility of veteran housing opportunities in Vernon, and assign a maximum of two members of the existing Vernon City Council to serve as participants on the Temporary Advisory Committee.

City Administrator Fandino presented the staff report.

In response to Council questions, City Administrator Fandino explained that potential locations and traffic would be addressed in the feasibility study. He anticipated discussions ensuing for six months.

All members of the Council volunteered to participate on the committee.

MOTION

Council Member Menke moved and Council Member Davis seconded a motion to: A. Find that 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 in the environment, and therefore does not constitute a “project” as defined by CEQA Guidelines section 15378. And even if such action were 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 an effect on the environment; and B. Establish a Committee of the City Council for the sole purpose of evaluating the prospect and feasibility of veteran housing opportunities in Vernon. The question was called and the motion carried unanimously.

14. Access Easement and License Agreement with Sky River Wind, LLC

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; B. Approve the Access Easement and License Agreement with Sky River Wind, LLC, in substantially the same form as submitted, to grant access to portions of property located in Kern County owned by the City of Vernon; and C. Authorize the City Administrator to execute the Access Easement and License Agreement with Sky River Wind, LLC.

General Manager of Public Utilities Alemu presented the staff report.

MOTION

Mayor Pro Tem Lopez moved and Council Member Davis 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; B. Approve the Access Easement and License Agreement with Sky River Wind, LLC, in substantially the same form as submitted, to grant access to portions of property located in Kern County owned by the City of Vernon; and C. Authorize the City Administrator to execute the Access Easement and License Agreement with Sky River Wind, LLC. The question was called and the motion carried unanimously.

ORAL REPORTS

City Administrator Fandino reported on recent Vernon Police, Fire Department, and Public Utilities activities and incidents. He provided an update on the April 14, 2020 General Municipal Election and discussed the success of Operation Santa.

RECESS

Mayor Ybarra recessed the meeting to Closed Session at 9:23 a.m.

CLOSED SESSION

15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (4 cases)

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

Jerry Chavez v. City of Vernon

Los Angeles Superior Court Case No. BC719460

Vernon Professional Firefighters Association v. City of Vernon

Public Employment Relations Board (PERB) Unfair Practice Charge No. LA-CE-1423-M

16. 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

17. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation

Government Code Section 54956.9(d)(2)

Number of potential cases: 1

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.

RECONVENE

At 9:54 a.m., Mayor Ybarra adjourned Closed Session and reconvened the regular meeting.

City Attorney Patel reported that City Council unanimously approved Amendment 1 to City Attorney Professional Services Agreement with Stream Kim LP in the matter of Jerry Chavez v. City of Vernon, Los Angeles Superior Court Case No. BC719460.

ADJOURNMENT

Mayor Ybarra adjourned the meeting at 9:55 a.m.

MELISSA YBARRA, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)