

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 21, 2020
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

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

FLAG SALUTE

Health Director Agyin 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
Zayna Moussa, Senior Deputy 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

None.

PUBLIC COMMENT

None.

PUBLIC HEARINGS

1. Public Works

Development Agreement between the City of Vernon and the Southern California Curling Center, Inc.

Recommendation: A. Table the hearing to a date uncertain.

MOTION

Mayor Pro Tem Lopez moved and Council Member Davis seconded a motion to continue the Public Hearing. The question was called and the motion carried unanimously.

PRESENTATIONS

2. Employee Service Pin Awards for November and December 2019

Recommendation:

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

Human Resources Director Earl and Mayor Ybarra recognized Carlos Gudino, Senior Street Maintenance Worker, for 25 years of service to the City.

CONSENT CALENDAR

MOTION

Mayor Pro Tem Lopez moved and Council Member Davis seconded a motion to approve Consent Calendar Item Nos. 3 through 8. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

3. Operating Account Warrant Register No. 37 Covering the Period of December 8, 2019 through January 4, 2020

Recommendation:

Approve Operating Account Warrant Register No. 37 which totals \$12,097,456.41 and consists of the following:

- 1) Ratification of electronic payments totaling \$11,564,246.22; and
- 2) Ratification of the issuance of early checks totaling \$533,210.19.

4. City Payroll Warrant Register No. 763 Covering the Period of December 1 through December 31, 2019

Recommendation:

Approve City Payroll Account Warrant Register No. 763 which totals \$3,048,589.93 and consists of the following:

- 1) Ratification of direct deposits, checks and taxes totaling \$1,998,874.51; and
- 2) Ratification of checks and electronic fund transfers (EFT) paid through Operating bank account totaling \$1,049,715.42.

5. Fire Department Activity Report for November 2019

Recommendation:

Receive and file.

6. Police Department Activity Log and Statistical Summary for the period of November 16 through November 30, 2019

Recommendation:

Receive and file.

7. Electrical Easement at 4555 Everett Avenue (APN 6304-022-063)

Recommendation:

A. Find that the acceptance of the Electrical Easement proposed in this staff report is not a “project” as that term is defined under the California Environmental Quality Act (CEQA) Guidelines Section 15378, and even if it were a project, it would be categorically exempt in accordance with CEQA Guidelines Sections 15301 (maintenance, repair or minor alteration of an existing facility and involves negligible or no expansion of an existing use) and 15061(b)(3) (general rule that CEQA only applies to projects that may have a significant effect on the environment); and

B. Accept the Electrical Easement and authorize the Mayor to execute the Certificate of Acceptance.

8. Selection of Goldman Sachs & Co. for Bond Financing Activities

Recommendation:

Receive and file.

NEW BUSINESS

9. Amended and Restated Citywide Fringe Benefits and Salary Resolution

Recommendation:

A. Find that approval of a resolution 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 a resolution adopting an amended and restated Citywide Fringe Benefits and Salary Resolution in accordance with Government Code Section 20636(b)(1) and repealing all resolutions in conflict therewith.

Human Resources Director Earl presented the staff report.

MOTION

Council Member Davis moved and Council Member Menke seconded a motion to: A. Find that approval of a resolution 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 a resolution adopting an amended and restated Citywide Fringe Benefits and Salary Resolution in accordance with Government Code Section 20636(b)(1) and repealing all resolutions in conflict therewith. The question was called and the motion carried unanimously.

10. Vernon Public Utilities Wildfire Mitigation Plan

Recommendation:

A. Find that approval of this action does not constitute a “project” pursuant to section 15378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”), because such action constitutes an administrative activity; and even if the adoption of the proposed item did constitute a project, it would be exempt in accordance with CEQA Guidelines section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and

B. Adopt a resolution adopting the Vernon Public Utilities 2020 Wildfire Mitigation Plan. Public Utilities General Manager Alemu presented the staff report.

MOTION

Mayor Pro Tem Lopez moved and Council Member Menke seconded a motion to: A. Find that approval of this action does not constitute a “project” pursuant to section 15378(b)(2) of the Guidelines to the California Environmental Quality Act (“CEQA”), because such action constitutes an administrative activity; and even if the adoption of the proposed item did constitute a project, it would be exempt in accordance with CEQA Guidelines section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment; and B. Adopt a resolution adopting the Vernon Public Utilities 2020 Wildfire Mitigation Plan. The question was called and the motion carried unanimously.

ORAL REPORTS

City Administrator Reports on Activities and Other Announcements

City Administrator Fandino provided an update on recent Vernon Police Department activities. He discussed efforts to oppose legislation related to energy storage. He stated the Industrial Environmental Association will hold its first meeting on January 28, 2020, 11:30 a.m. to 1:00 p.m. in City Hall Conference Room 3. He stated the Health Department was monitoring the 2019 Novel CoronaVirus in Wuhan, China. Health Director Agyin provided a summary of monitoring and symptoms of the Virus. City Administrator Fandino discussed upcoming meetings regarding the City’s bond rating and pump storage issues.

City Council Reports on Activities (including AB1234), Announcements, or Directives to Staff

City Council Menke reported on her attendance at the National league of Cities Conference on November 19 to November 23, 2019, in San Antonio, Texas, and indicated the fiscal impact to be \$3496.73.

RECESS

Mayor Ybarra recessed the meeting to Closed Session at 9:15 a.m.

CLOSED SESSION

11. 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
Marco Garcia-Martinez v. City of Vernon et al.,
Los Angeles Superior Court Case No. BC689446

Vernon Professional Firefighters Association v. City of Vernon
Public Employment Relations Board (PERB)
Unfair Practice Charge No. LA-CE-1423-M

12. 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

13. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Potential Initiation of Litigation.
Government Code Section 54956.9(d)(4)
Number of potential cases: 1

14. 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 9:43 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

Mayor Ybarra adjourned the meeting at 9:43 a.m.

MELISSA YBARRA, Mayor

ATTEST:

LISA POPE, City Clerk
(seal)