

**MINUTES  
VERNON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, FEBRUARY 4, 2020  
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

**CALL TO ORDER**

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

**FLAG SALUTE**

City Clerk Pope 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  
Brian Byun, Senior Deputy City Attorney  
Lisa Pope, City Clerk  
Scott Williams, Finance Director  
Jim Enriquez, Interim Fire Chief  
Fredrick Agyin, Director of Health and Environmental Control  
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.

**PRESENTATIONS**

- 1. Vernon's Los Angeles River Active Transportation Access Plan**  
Recommendation:  
No action required by City Council. This is a presentation only.

Public Works Director Wall presented the staff report.

James Powell, Alta Planning, presented a PowerPoint regarding Vernon's Los Angeles River Active Transportation Access Plan.

In response to Mayor Ybarra, Mr. Powell explained the proposed physical separation on Leonis and District and modifications on the north side of the street. He discussed efforts to preserve parking and the parking use analysis.

## **CONSENT CALENDAR**

### **MOTION**

Council Member Davis moved and Council Member Gonzales seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

2. **City Clerk**  
**Approval of Minutes**  
Recommendation:  
Approve the January 7 and January 21, 2020 Regular City Council meeting minutes.
3. **City Clerk**  
**Claims Against the City**  
Recommendation:  
Receive and file the claim submitted by Diana Aquino in the amount of \$285.38.
4. **Finance/ Treasury**  
**Operating Account Warrant Register No. 38 Covering the Period of January 5 through January 18, 2020**  
Recommendation:  
Approve Operating Account Warrant Register No. 38, which totals \$8,910,980.17, and consists of ratification of electronic payments totaling \$8,134,176.84 and ratification of the issuance of early checks totaling \$776,803.33.
5. **Public Works**  
**Public Works Monthly Building Report**  
Recommendation:  
Receive and file the December 2019 Building Report.
6. **Public Works**  
**Notice of Completion - City Contract No. CS-1105 - Citywide Striping and Pavement Markings Fiscal Year (FY) 2018-2019**  
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 PCI, Inc. as related to City Contract No. CS-1105 – Citywide Striping and Pavement Markings FY 2018-2019; and
- C. Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder’s Office.

**7. Public Works**

**Notice of Completion - City Contract No. CS-1130 - Concrete Yards at Furlong Properties**

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 FS Contractors, Inc. as related to City Contract No. CS-1130 – Concrete Yards at Furlong Properties; and
- C. Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder’s Office.

**8. Public Works**

**Acceptance of Electrical Easement at 3015 Leonis Boulevard (APN 6303-021-007)**

**Recommendation:**

- A. Find that acceptance of the Electrical Easement 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.

**9. Police Department**

**Loan Vehicle Use Agreement with National Insurance Crime Bureau**

Recommendation:

- A. Find that approval of the proposed action 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; and
- B. Approve and authorize the Police Chief to execute a vehicle use agreement with the National Insurance Crime Bureau (NICB) for continued participation in the loan vehicle program.

**10. Public Utilities**

**Process of Appointment of Directors to the Central Basin Municipal Water District's Board of Directors**

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 § 15378;

B. Adopt a resolution authorizing the City of Vernon's participation in the process of appointment of Directors to the Central Basin Municipal Water District's Board of Directors; and

C. Ratify the City Administrator's nomination of Noe Negrete, Director of Public Works and City Engineer for the City of Santa Fe Springs, to serve as a Director representing large purveyors on the Central Basin Municipal Water District's Board.

**11. Public Utilities**

**Quitclaim Deeds for Easements with Renewable Resources Group**

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 Mayor to execute the Quitclaim Deeds with Renewable Resources Group ("RRG"), to release the encumbrance of easements and quitclaims to ReNu Resources LLC all right, title, and interest that the City of Vernon has or may have in the Easement Property and Easement as defined in the Quitclaim Deeds.

**NEW BUSINESS**

**12. City Administration**

**Services Agreement with Southeast Rio Vista Family YMCA (a branch of the YMCA of Metropolitan Los Angeles) for Community Based Wellness Programming for the City of Vernon**

Recommendation:

A. Find that approval of the Services Agreement with YMCA Metropolitan Los Angeles/Southeast-Rio Vista Family YMCA 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. Approve and authorize the City Administrator to execute the Services Agreement with the YMCA Metropolitan Los Angeles/Southeast-Rio Vista Family YMCA ("YMCA"), in substantially the same form as submitted, for a one-year term in an amount not-to-exceed \$153,519, for community based wellness programming for the City of Vernon.

City Administrator Fandino presented the staff report.

**MOTION**

Council Member Menke moved and Mayor Pro Tem Lopez seconded a motion to: A. Find that approval of the Services Agreement with YMCA Metropolitan Los Angeles/Southeast-Rio Vista Family YMCA 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. Approve and authorize the City Administrator to execute the Services Agreement with the YMCA Metropolitan Los Angeles/Southeast-Rio Vista Family YMCA ("YMCA"), in substantially the same

form as submitted, for a one-year term in an amount not-to-exceed \$153,519, for community based wellness programming for the City of Vernon. The question was called and the motion carried unanimously.

**13. Public Utilities**

**City Contract No. LP-0510 with A.M. Ortega Construction, Inc. for the 26th Street Bridge Gas Pipeline and Casing Installation**

Recommendation:

A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines §15301, because the project consists of the maintenance, repair or minor alteration of an existing facilities and involves negligible or no expansion of an existing use;

B. Accept the sole bid from A.M. Ortega Construction, Inc., (“Ortega”) as the lowest responsive and responsible bidder;

C. Approve and authorize the City Administrator to execute the Construction Contract with Ortega, in substantially the same form as submitted herewith, in an amount not to exceed \$404,159.00 for the 26th Street Bridge Gas Pipeline and Casing Installation; and

D. Authorize a contingency amount of \$45,841.00 in the event of an unexpected changed condition in the project and grant authority to the City Administrator to issue Change Orders for an amount up to the contingency amount, if necessary. At approximately 11% of the total contract value, the contingency amount requested is typical for this type and size of project.

Public Utilities General Manager Alemu presented the staff report.

**MOTION**

Mayor Pro Tem Lopez moved and Council Member Davis seconded a motion to: A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines §15301, because the project consists of the maintenance, repair or minor alteration of an existing facilities and involves negligible or no expansion of an existing use; B. Accept the sole bid from A.M. Ortega Construction, Inc., (“Ortega”) as the lowest responsive and responsible bidder; C. Approve and authorize the City Administrator to execute the Construction Contract with Ortega, in substantially the same form as submitted herewith, in an amount not to exceed \$404,159.00 for the 26th Street Bridge Gas Pipeline and Casing Installation; and D. Authorize a contingency amount of \$45,841.00 in the event of an unexpected changed condition in the project and grant authority to the City Administrator to issue Change Orders for an amount up to the contingency amount, if necessary. At approximately 11% of the total contract value, the contingency amount requested is typical for this type and size of project. 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 and Fire Department activities. He discussed meetings regarding the City's bond financing rating. Public Utilities General Manager Alemu and Finance Director Williams discussed a potential upgrade in the City's rating and positive impressions of the City.

City Administrator Fandino reported on the California Municipal Utilities Association meeting and discussions with legislators regarding pump storage. He stated Vernon received the Tree City USA designation and staff was completing the planting of 200 trees. He stated the Council and staff would be delivering books to Vernon Elementary School students and would be participating in "Read Across America". He announced an Easter event to be scheduled in March.

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

Mayor Ybarra reported that Council attended the Independent Cities Association Annual Winter Seminar and the fiscal impact to be \$1430.00 per Council Member

## **RECESS**

Mayor Ybarra recessed the meeting to Closed Session at 9:30 a.m.

## **CLOSED SESSION**

### **14. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Government Code Section 54956.8

Assessor's Parcel Numbers: 6304-007-900 and 6314-033-901

Agency Negotiators: Carlos Fandino, City Administrator

Negotiating Party: Los Angeles County Flood Control District

Under Negotiation: Price and Terms of Payment

### **15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (3 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

Vernon Professional Firefighters Association v. City of Vernon  
Public Employment Relations Board 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**

Threat of Litigation

Government Code Section 54956.9(e)(5)

Number of potential cases: 1

**18. 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 9:45 a.m., Mayor Ybarra adjourned Closed Session and reconvened the regular meeting.

Senior Deputy City Attorney Byun reported that City Council unanimously approved an Approval of Just Compensation with respect to Assessor's Parcel Numbers 6304-007-900 and 6314-033-901 - Closed Session Item No. 14 – Conference with Real Property Negotiators

**ADJOURNMENT**

Mayor Ybarra adjourned the meeting at 9:45 a.m.

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MELISSA YBARRA, Mayor

ATTEST:

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LISA POPE, City Clerk  
(seal)