

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

CALL TO ORDER

Mayor Ybarra called the meeting to order at 9:01 a.m.

FLAG SALUTE

Mayor Ybarra led the Flag Salute.

ROLL CALL

PRESENT: Melissa Ybarra, Mayor
Leticia Lopez, Mayor Pro Tem (via remote access)
William Davis, Council Member
Carol Menke, Council Member (via remote access)
Diana Gonzales, Council Member

STAFF PRESENT:

Carlos Fandino, City Administrator
Arnold Alvarez-Glasman, Interim City Attorney
Lisa Pope, City Clerk
Scott Williams, Finance Director (via remote access)
Jim Enriquez, Interim Fire Chief
Abraham Alemu, Public Utilities General Manager (via remote access)
Fredrick Agyin, Director of Health and Environmental Control
Michael Earl, Human Resources Director (via remote access)
Anthony Miranda, Police Chief
Dan Wall, Public Works Director (via remote access)

APPROVAL OF THE AGENDA

MOTION

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

PUBLIC COMMENT

None.

ELECTION

1. **Results of the City of Vernon April 14, 2020 General Municipal Election**

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 environment and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; and
- B. Adopt a Resolution reciting the facts of the General Municipal Election held on April 14, 2020, declaring the results and such other matters as provided by law.

City Clerk Pope presented the staff report.

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 environment and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; and B. Adopt a Resolution reciting the facts of the General Municipal Election held on April 14, 2020, declaring the results and such other matters as provided by law. The question was called and the motion carried unanimously.

2. **Designation of Mayor and Mayor Pro Tempore**

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 environment and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378;
- B. Designate Leticia Lopez as Mayor based on rotation schedule according to year of election; and
- C. Designate Melissa Ybarra as Mayor Pro Tempore based on rotation schedule according to year of election.

City Clerk Pope presented the staff report.

MOTION

Council Member Davis moved and Council Member Gonzales 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 environment and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; B. Designate Leticia Lopez as Mayor based on rotation schedule according to year of election; and C. Designate Melissa Ybarra as Mayor Pro Tempore based on rotation schedule according to year of election. The question was called and the motion carried unanimously.

PRESENTATIONS

3. Fiscal Year 2020/2021 Budget Study Session

Recommendation:

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

City Administrator Fandino and Finance Director Williams presented a PowerPoint regarding the Fiscal Year 2020/2021 Budget Study Session.

Finance Director Williams responded to Council questions regarding estimated sales tax revenue and Federal aid due to COVID-19. He explained the impact of the pandemic to Vernon due to its unique environment.

City Administrator Fandino discussed quarterly reviews of the budget, drop in utility load and goal to present a balanced budget. He addressed the impacts of COVID-19 on Vernon businesses.

Mayor Pro Tem Ybarra requested deferral of capital improvement projects and a decrease in anticipated utility revenue.

Public Utilities General Manager Alemu discussed the temporary attrition rate and energy efficiency rebate programs.

Public Works Director Wall explained the proposed \$350,000 for a West Side Development Plan. City Administrator Fandino discussed the proposed development on the west side of town.

CONSENSUS

By consensus, the Council directed staff to bring back the draft budget with a reduction on utility load forecasting; potential deferral of capital improvement projects; and adjustment to grant funds.

4. Employee Service Pin Awards for March 2020

Recommendation:

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

Human Resources Director Earl acknowledged recipients of the Employee Service Pin Awards for March 2020 including: Allen Castro, Shahram Sharifzadeh, Ronald Bustamante, Brian Byun, Jessica Davis, and Melissa Ybarra.

CONSENT CALENDAR

MOTION

Mayor Pro Tem Ybarra moved and Council Member Davis 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:

5. **Second Reading of Ordinance No. 1265 - Fund Allocation, Eligibility, and Criteria for Vernon CommUNITY Fund Grants**
Recommendation: Conduct second reading and adopt Ordinance No. 1265 amending Article XX of Chapter 2, Sections 2.162 and 2.164 through 2.166, of the Vernon Municipal Code to modify Vernon CommUNITY Fund grant fund allocation, eligibility, and criteria.
6. **Second Reading of Ordinance No. 1266 - First Responders Housing Priority**
Recommendation: Conduct second reading and adopt Ordinance No. 1266 amending Section 2.125(b) of Article XVII of Chapter 2 of the Vernon Municipal Code to delete any reference to a "first responders" priority.
7. **City Payroll Warrant Register**
Recommendation: Approve City Payroll Warrant Register No. 766, for the period of March 1 through March 31, 2020, which totals \$3,469,588.34 and consists of ratification of direct deposits, checks and taxes totaling \$2,433,298.83 and ratification of checks and electronic fund transfers (EFT) for payroll related disbursements totaling \$1,036,289.51 paid through operating bank account.
8. **Operating Account Warrant Register**
Recommendation: Approve Operating Account Warrant Register No. 43, for the period of March 22 through April 4, 2020, which totals \$4,682,526.89 and consists of ratification of electronic payments totaling \$4,525,694.15 and ratification of the issuance of early checks totaling \$156,832.74.
9. **Fire Department Activity Report**
Recommendation: Receive and file the February 2020 Report.
10. **Police Department Activity Report**
Recommendation: Receive and file the February 2020 Report.
11. **Side Letter to Resolution No. 2020-06 Ratifying Emergency Proclamation 2020-01 (Novel Coronavirus - COVID-19)**
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 environment and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; and B. Receive and file the report.

NEW BUSINESS

12. **Temporary Emergency Moratorium on Evictions at Residential Properties**
Recommendation:
 - A. Find that the proposed action is exempt under the 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. Adopt Emergency Ordinance No. 1268, pursuant to Chapter 4.4 of the City Charter, enacting a Temporary Emergency Moratorium on Evictions for renters and owners of residential properties in the City, late fee assessments for rent and utility payments, and service shut-offs.

City Administrator Fandino presented the staff report.

MOTION

Council Member Gonzales moved to forgive rent for 90 days to assist residents with hardship. The motion was withdrawn.

MOTION

Mayor Pro Tem Ybarra moved and Council Member Gonzales seconded a motion to: A. Find that the proposed action is exempt under the 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; B. Adopt Emergency Ordinance No. 1268, pursuant to Chapter 4.4 of the City Charter, enacting a Temporary Emergency Moratorium on Evictions for renters and owners of residential properties in the City, late fee assessments for rent and utility payments, and service shut-offs, with a status update in three months; and C. Refer discussion of rent forgiveness to the Housing Commission. The question was called and the motion carried unanimously.

13. Grant Agreement with YMCA Metropolitan Los Angeles for COVID-19 Emergency Community Services

Recommendation:

A. Find that the proposed action is exempt under the 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 a Grant Agreement between the City of Vernon and YMCA Metropolitan Los Angeles (YMCA) in substantially the same form as submitted, for a total amount of \$60,000 to support YMCA's COVID-19 centric emergency services in the Southeast Los Angeles Area.

City Administrator Fandino presented the staff report.

In response to Council questions, City Administrator Fandino explained the Community Grant Fund.

Mayor Pro Tem Ybarra expressed concern about whether the proposed services would benefit Vernon residents.

Mayor Lopez stated meal delivery was beneficial to Vernon residents.

CONSENSUS

By consensus, the Council deferred the item to determine the benefits to Vernon residents.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements

City Administrator Fandino provided an update on recent Police Department and Fire Department activities. He announced that Vernon Public Utilities had received the American Public Power Association 2019 Certificate of Excellence in Reliability. He discussed the outages, water system bonds and transition of MGS staff to the Alternate Control Center. He summarized the COVID-19 response and provided an update on LA County's Project Room Key.

Interim City Attorney Alvarez-Glasman provided an overview of Los Angeles County Project Room Key, litigation and lack of communication to local jurisdictions.

Chief Miranda discussed law enforcement collaboration on homeless issues.

City Council Reports on Activities, Announcements, or Directives to Staff

None.

RECESS

Mayor Lopez recessed the meeting to Closed Session at 10:40 a.m.

CLOSED SESSION

14. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation

Government Code Section 54956.9(d)(2)

Number of potential cases: One

Facts and Circumstances: Pursuant to Government Code Section 54956.9(e)(3), the City has received written communication threatening litigation on behalf of former employee Jerrick Torres related to his termination, in the form of a Complaint of Discrimination filed with the Department of Fair Employment and Housing (DFEH). The DFEH Complaint (DFEH No. 201910-08099730) is made available for public inspection pursuant to Section 54957.5.

15. 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

16. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957(b)(1)

Title: City Administrator

RECONVENE

At 11:54 a.m., Mayor Lopez adjourned Closed Session and reconvened the regular meeting.

CLOSED SESSION REPORT

Interim City Attorney Alvarez-Glasman reported that the Council met in Closed Session and discussed all items listed on the agenda and no reportable action was taken.

ADJOURNMENT

Mayor Lopez adjourned the meeting at 11:55 a.m.



LETICIA LOPEZ, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)