

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 5, 2020
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

Mayor Lopez called the meeting to order at 9:02 a.m.

FLAG SALUTE

City Administrator Fandino led the Flag Salute.

ROLL CALL

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

STAFF PRESENT:

Carlos Fandino, City Administrator
Arnold Alvarez-Glasman, Interim City Attorney
Lisa Pope, City Clerk
Scott Williams, Finance Director
Jim Enriquez, Interim Fire Chief
Abraham Alemu, Public Utilities General Manager (via remote access)
Fredrick Agyin, Health and Environmental Control Director
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

Mayor Pro Tem Ybarra moved and Council Member Gonzales seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

PUBLIC COMMENT

City Clerk Pope read the letter submitted by Castulo de la Rocha, President and CEO of Alta Med.

PRESENTATIONS

1. **Fiscal Year 2020/2021 Budget Study Session (Continued from April 21, 2020)**

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.

Public Utilities General Manager Alemu explained the reduction in electric operations and bond funded capital projects. City Administrator Fandino reiterated the extreme conservative approach taken with revenues. He discussed upcoming consideration of the fee schedule which was not included in the proposed budget. Public Works Director Wall and Director of Health and Environmental Control Agyin explained the fees based on actual costs.

City Administrator Fandino reminded the Council of the transition to LA County Fire, which would improve the budget. Chief Enriquez provided an update on the agreement with LA County Fire.

In response to Council questions, Finance Director Williams and City Administrator Fandino explained unemployment; sales tax allocations; late fees built into revenues; reserves; and public hearing on June 2, 2020.

CONSENT CALENDAR

Council Member Menke pulled Item Nos. 6 and 7.

MOTION

Mayor Pro Tem Ybarra moved and Council Member Davis seconded a motion to approve the Consent Calendar with the exception of Item Nos. 6 and 7. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

2. **Approval of Minutes**

Recommendation:

Approve the April 7, 2020 and April 21, 2020 Regular City Council meeting minutes.

3. **Operating Account Warrant Register**

Recommendation:

Approve Operating Account Warrant Register No. 44, for the period of April 5 through April 18, 2020, which totals \$3,431,393.50 and consists of ratification of electronic payments totaling \$3,333,481.48 and ratification of the issuance of early checks totaling \$97,912.02.

4. **Redevelopment Agency Obligation Retirement Account Warrant Register**

Recommendation:

Approve Redevelopment Agency Obligation Retirement Account Warrant Register No. 58, for the period of March 22 through April 18, 2020, consisting of ratification of electronic payments totaling \$2,432.00.

5. Public Works Monthly Building Report

Recommendation:

Receive and file the March 2020 Building Report.

8. Agreement for the Purchase and Sale of California Air Resources Board Compliance Instruments with Elbow River Marketing Ltd.

Recommendation:

A. Find that 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; and (b) even if this approval were a "project" subject to CEQA, the approval requested is exempt in accordance with CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment, and any specific projects that may occur by a private party in the future in reliance on this approval would be subject to CEQA review by another governmental agency at that time when actual details of any physical proposal would be more than speculative; and

B. Approve and authorize the City Administrator (per Resolution No. 9314) to execute the Agreement for the Purchase of California Air Resources Board Compliance Instruments (Agreement) with Elbow River Marketing Ltd. (ERM), in substantially the same form as submitted, for the purpose of buying Carbon Credit (CCAs).

The following items were pulled from the Consent Calendar for individual consideration:

6. Agreement with White Nelson Diehl Evans LLP for Professional Auditing Services

Recommendation:

A. Find that approval of the proposed action is exempt from the California Environmental Quality Act (CEQA) because it is a continuing administration 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. Even if such were a project it would be exempt from CEQA review in accordance with Section 15061(b)(3), the general is that CEQA only applies to activities that may have a significant effect on the environment; and

B. Approve and authorize the City Administrator to execute a professional services agreement for a not-to-exceed amount of \$330,375 with the public accounting firm White Nelson Diehl Evans LLC, in substantially the same form as submitted, to perform annual audits of the financial statements of the City of Vernon and its Enterprise Funds.

Finance Director Williams presented the staff report.

MOTION

Council Member Menke moved and Council Member Gonzales seconded a motion to: A. Find that approval of the proposed action is exempt from the California Environmental Quality Act (CEQA) because it is a continuing administration 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. Even if such were a project it would be exempt from CEQA review in accordance with Section 15061(b)(3), the general is that CEQA only applies to activities that may have a significant effect on the environment; and B. Approve and authorize the City Administrator to execute a professional services agreement for a not-to-exceed amount of \$330,375 with the public accounting firm White Nelson Diehl Evans LLC, in substantially the same form as submitted, to perform annual audits of the financial statements of the City of Vernon and its Enterprise Funds. The question was called and the motion carried unanimously.

7. Amendment No. 1 to the Attorney Services Agreement (Litigation & Advisory) with Rutan & Tucker LLP

Recommendation:

A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, because it is a continuing administrative and 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. Approve and authorize the City Administrator to enter into Amendment No. 1 to the Attorney Services Agreement (Litigation & Advisory) between the City of Vernon and Rutan & Tucker, LLP, in substantially the same form as submitted, for an amount not to exceed \$50,000.

Interim City Attorney Alvarez-Glasman presented the staff report.

In response to Council questions, Interim City Attorney Alvarez-Glasman confirmed that he was evaluating and auditing every bill.

MOTION

Mayor Pro Tem Ybarra moved and Council Member Menke seconded a motion to: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, because it is a continuing administrative and 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. Approve and authorize the City Administrator to enter into Amendment No. 1 to the Attorney Services Agreement (Litigation & Advisory) between the City of Vernon and Rutan & Tucker, LLP, in substantially the same form as submitted, for an amount not to exceed \$50,000. The question was called and the motion carried unanimously.

NEW BUSINESS

9. COVID-19 Financial Aid/Relief for Vernon Residents

Recommendation:

Provide direction to staff on developing a program to provide financial aid/relief to Vernon residents impacted by the COVID-19 pandemic.

City Administrator Fandino presented the staff report.

In response to Council questions, City Administrator Fandino discussed continued efforts for distributing information to residents.

The Council discussed options for assisting Vernon residents affected by COVID-19.

CONSENSUS

By consensus, the Council directed staff to bring back a program for a one time grant of \$500 for single persons and \$1000 for families impacted by COVID-19; and to continue efforts of informing residents of available resources.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements

City Administrator Fandino provided an update on recent Police Department and Fire Department activities; announced that Public Works Department received a \$150,000 grant for online permitting; reminded the Council that the City had sold \$15 million in 2020 water bonds; and explained the plans to bring staff back to City Hall on May 18, 2020, or as quickly as possible in phases.

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

Council Member Menke commended the Police Department on a recent incident with a mentally ill individual.

Director of Health and Environmental Control Agyin discussed the success of Alta Med and future recognition of local businesses transitioning to COVID-19 needs.

RECESS

Mayor Lopez recessed the meeting at 10:55 a.m. The meeting reconvened at 11:35 a.m. and recessed to Closed Session at 11:35 a.m.

CLOSED SESSION

10. 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 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.

11. 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

12. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Government Code Section 54957

One matter

RECONVENE

At 12:19 p.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, discussed all items listed on the agenda and no reportable action was taken.

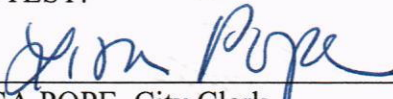
ADJOURNMENT

Mayor Lopez adjourned the meeting at 12:19 p.m.



LETICIA LOPEZ, Mayor

ATTEST:



LISA POPE, City Clerk

(seal)