

**MINUTES  
VERNON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, JULY 7, 2020  
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

**CALL TO ORDER**

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

**FLAG SALUTE**

Mayor Lopez 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 (via remote access)  
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  
Fredrick Agyin, Health and Environmental Control Director  
Michael Earl, Human Resources Director  
Anthony Miranda, Police Chief  
Dan Wall, Public Works Director

**APPROVAL OF THE AGENDA**

**MOTION**

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

**PUBLIC COMMENT**

Marisa Olguin, Chamber of Commerce, stated the Chamber was committed to healthy governance, supports the public process, entailing reforms, and established policies. She reiterated that it was not the appropriate time for a project at Jawbone Canyon. She indicated support for the City Administrator's goal to ensure the lowest electric rates in

California by 2030. She stated the Chamber remained supportive and wanted to continue to work together to meet the City's goals.

Douglas Williams, Williams Data Management, encouraged good governance, maintaining transparency, and providing stakeholders the ability to understand the City's actions related to public policy. He expressed appreciation for the Council's 3-2 vote to table the project in the Tehachapi Hills and stated the developer was not the appropriate group to do business with. He stated he was encouraged by the City's pledges and commitment to the lowest electric rate.

Steve Freed, Managing Partner of Mount Vernon Industrial LLC, thanked the Council Members, Police, Fire, and Administration for recent success in ensuring protests in surrounding communities did not impact the City of Vernon. He thanked the Council for continued efforts towards ensuring municipal transparency and good governance. He stated he was pleased that the City had not rushed into a fiscally unsound development deal. He expressed concern with the proposed developer and surprise that the City did not turn them away sooner in the process.

Susie Ybarra thanked the Council for its 3-2 vote on the Jawbone Canyon property and reminded the Council to review the financials and details on the property. She thanked the Council, City Administrator, Fire, and Police for supporting residents during the pandemic. She indicated support for the City Administrator.

City Clerk Pope read a letter from Peter Corselli, Lineage Logistics, Director, Project Development, regarding prior poor financial decisions of the City and discouraging a development deal for the City's Kern County property.

City Clerk Pope read a letter from Jose A. Gaviña, Gaviña & Sons, Inc., encouraging continued practice of good governance reforms and measures, and applauding Mayor Lopez, Mayor Pro Tem Ybarra, and Council Member Davis for voting against the proposed energy project on the City's Kern County property.

Council Member Menke responded that good governance was everyone's goal. She stated the Jawbone Canyon issue needed to be resolved and she was out of options. She stated she would not apologize for bringing the developer to the table and discussed the opportunity to enter into a public private partnership, with time being of the essence. She asked the business community to provide suggestions to mitigate the expenses associated with the property.

## **PUBLIC HEARING**

### **1. Amendment to Municipal Code Chapter 26 - Zoning Map**

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 any direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines Section

15378, and to the extent the property owner seeks to engage in actual physical construction or development, such would be subject to separate and independent CEQA review and analysis; and B. Introduce and conduct first reading of Ordinance No. 1270 amending the Zoning Map in Chapter 26 of the Municipal Code to include the properties located at 2328, and at 2332/2334 E. Vernon Avenue in the Housing Overlay Zone, and direct staff to schedule second reading and adoption for the July 21, 2020 City Council meeting.

Mayor Pro Tem Ybarra recused herself due to property ownership interest and left the dais.

Public Works Director Wall presented the staff report.

In response to Council Member Menke, Public Works Director Wall stated the properties were built in 1966 and 1985 and indicated he did not know why the zoning was not previously changed. He explained that the overlay would not preclude the current use and the City had initiated the change in order to preserve housing.

Council Member Menke stated she wanted to make sure the Council had enough information to make an informed decision.

Mayor Lopez opened the Public Hearing.

Susie Ybarra discussed the prior consideration in 2015 and requested the Council correct the mistake.

Council Member Gonzales stated she would abstain since the property involved a member of the City Council and requested a legal opinion from someone other than the Interim City Attorney because he was brought in by Mayor Pro Tem Ybarra.

Ms. Susie Ybarra requested Council Member Gonzales be excluded from the decision due to her father in law's relationship with the property owner.

Interim City Attorney Alvarez-Glasman explained that Council Member Gonzales was not legally required to recuse herself if she did not have a financial or economic interest in the property.

In response to Council Member Menke, Public Works Director Wall explained that when the issue was brought to his attention by the property owner, it appeared to be in the City's interest to preserve housing.

Mayor Lopez requested additional information regarding the history and 2015 decision.

#### **MOTION**

Mayor Lopez moved and Council Member Menke seconded a motion to continue the hearing to July 21, 2020. The question was called and the motion carried 4-0, Ybarra absent.

Mayor Pro Tem Ybarra returned to the dais.

## CONSENT CALENDAR

### MOTION

Council Member Davis moved and Council Member Menke 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. **Approval of the Minutes**  
Recommendation: Approve the June 16, 2020 Regular City Council meeting minutes.
3. **Claims Against the City**  
Recommendation: Receive and file the claim submitted by Bruce A. Carter in the amount of \$690.
4. **Operating Account Warrant Register**  
Recommendation: Approve Operating Account Warrant Register No. 48, for the period of May 31 through June 20, 2020, which totals \$10,263,526.55 and consists of ratification of electronic payments totaling \$9,429,962.41 and ratification of the issuance of early checks totaling \$833,564.14.
5. **Public Works Monthly Building Report**  
Recommendation: Receive and file the May 2020 Building Report.
6. **Purchase Order with Trittech Software Systems and Amendment No. 1 to Software Support Agreement with Trittech**  
Recommendation: A. Approve and authorize the City Administrator to execute Amendment No. 1 to the Software Support Agreement with Trittech Software Systems (Trittech) in an amount not-to-exceed \$9,000; and B. Authorize the issuance of a Purchase Order for \$15,512.73 to Trittech for Lucity Annual Maintenance.
7. **Motorola Service Agreement**  
Recommendation: Approve and authorize the City Administrator to execute a service agreement with Motorola for maintenance service in an amount not to exceed \$16,579.
8. **Implementation of the City's Local Transactions and Use Tax (April 14, 2020 Measure V)**  
Recommendation: A. Adopt Resolution No. 2020-23 approving and authorizing the Finance Director to execute a Preparatory Agreement and an Administrative Agreement with the California Department of Tax and Fee Administration for the collection and distribution of the Local Transaction Use Tax; and B. Adopt Resolution No. 2020-24 authorizing examination of sales, use and transactions tax records.
9. **Acceptance of Work and Notice of Completion for Contract No. LP-0496: Well No. 22 Construction Project - Phase 1**  
Recommendation: Accept the work as complete and authorize the General Manager of Public Utilities to submit the Notice of Completion to the Los Angeles County Registrar-Recorder/County Clerk for Phase One of the Well No. 22 Construction Project, Contract No. LP-0496 completed by Zim Industries, Inc.
10. **Amendment No. 2 to Services Agreement with JSB Fire Protection, LLC.**  
Recommendation: Approve and authorize the City Administrator to execute Amendment No. 2 to the Services Agreement with JSB Fire Protection, LLC (JSB) in substantially the same form as submitted, granting up to a five (5) month extension for an amount not to

exceed \$10,000 to cover anticipated fire plan check costs through the end of the proposed extension.

**11. Public Works Street Operations Division Vehicles**

Recommendation: Approve the purchase of a Ford F-550 with Knapheide dump body and equipment, and a Ford F-550 with Knapheide KUV body and equipment, through Sourcewell, for a total cost of \$141,151.87.

**12. Annual Recommended Employee Reclassifications**

Recommendation: Approve the recommended reclassification of incumbents in certain classifications effective July 19, 2020.

**NEW BUSINESS**

**13. Services Agreements for Natural Gas Support Services (Continued from June 16, 2020)**

Recommendation: Approve and authorize the City Administrator to execute Service Agreements for Natural Gas Support Services for a grand total amount not-to-exceed \$610,000 over the three-year term of the agreements, effective July 1, 2020 with: a) NewGen Strategies & Solutions, LLC (NewGen) for Natural Gas Financial and Business Support Services, in an amount not-to-exceed \$210,000 over a three-year term of the agreement; and b) G2 Integrated Solutions, LLC (G2-IS) for Natural Gas Compliance Support Services, in an amount not-to-exceed \$400,000 over a three-year term of the agreement.

Public Utilities General Manager Alemu presented the staff report.

In response to Council Member Menke, Utilities Compliance Administrator Kimmey explained the requested agreement amount based on necessary services and nature of regulatory compliance. City Clerk Pope explained the RFP versus bid process.

**MOTION**

Mayor Pro Tem Ybarra moved and Council Member Davis seconded a motion to approve and authorize the City Administrator to execute Service Agreements for Natural Gas Support Services for a grand total amount not-to-exceed \$610,000 over the three-year term of the agreements, effective July 1, 2020 with: a) NewGen Strategies & Solutions, LLC (NewGen) for Natural Gas Financial and Business Support Services, in an amount not-to-exceed \$210,000 over a three-year term of the agreement; and b) G2 Integrated Solutions, LLC (G2-IS) for Natural Gas Compliance Support Services, in an amount not-to-exceed \$400,000 over a three-year term of the agreement. The question was called and the motion carried unanimously.

**14. Memorandum of Understanding with the University of Southern California (USC) for COVID-19 Contact Tracing Services**

Recommendation: Approve the Memorandum of Understanding between the City of Vernon and USC in substantially the same form as submitted, for COVID-19 contact tracing services.

Health and Environmental Control Director Agyin presented the staff report.

Marisa Olguin, Chamber of Commerce, expressed excitement about the opportunity to partner with USC.

**MOTION**

Mayor Pro Tem Ybarra moved and Council Member Menke seconded a motion to approve the Memorandum of Understanding between the City of Vernon and USC in substantially the same form as submitted, for COVID-19 contact tracing services. 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 Police, Fire, and Public Utility incidents. He reminded the community about social distancing and mask wearing.

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

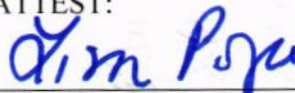
Council Member Menke reported her attendance at the 2020 Mayors and Council Members Executive Forum through virtual conference sessions hosted by the League of California Cities on the June 18, 25 and July 2, 2020, with a fiscal impact of \$200. She also discussed her participation in the special meeting of the general assembly and a series of virtual workshops hosted by the Southern California Association of Governments on June 4, 11, and 18, 2020, with no fiscal impact.

**ADJOURNMENT**

Mayor Lopez adjourned the meeting at 10:12 a.m.

  
LETICIA LOPEZ, Mayor

ATTEST:

  
LISA POPE, City Clerk  
(seal)