

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, AUGUST 4, 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

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

Francisco Gonzalez, Vernon City School Principal, provided updates on the school's online instructional plan.

PRESENTATIONS

1. Recognition of Outgoing City Commission and Committee Members

Recommendation: Recognize outgoing Business and Industry Commissioner Robert Wendoll and outgoing Vernon CommUNITY Fund Grant Committee Member Juliet Goff for their dedicated service to the City of Vernon.

City Clerk Pope read the commendations to outgoing Business and Industry Commissioner Robert Wendoll and outgoing Vernon CommUNITY Fund Grant Committee Member Juliet Goff.

2. Recognition of Retiring Employee - Steven B. Hartsfield, Facilities Maintenance Worker, Senior

Recommendation: Acknowledge and present a proclamation to retired employee Steven B. Hartsfield, Facilities Maintenance Worker, Senior, in recognition of his dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged retired employee Steven B. Hartsfield, Facilities Maintenance Worker, Senior, and indicated he was unavailable to attend the meeting.

3. Recognition of Retired Employee - Jose H. Pereyra, Electric Operator

Recommendation: Acknowledge and present a proclamation to retired employee Jose H. Pereyra, Electric Operator, in recognition of his dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged retired employee Jose H. Pereyra, Electric Operator and presented the proclamation.

4. Recognition of Retired Employee - Vickie Harris-Trigg, Police Records Technician

Recommendation: Acknowledge and present a proclamation to retired employee Vickie Harris-Trigg, Police Records Technician, in recognition of her dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged retired employee Vickie Harris-Trigg, Police Records Technician, and presented the proclamation.

5. Fiscal Year 2019-2020 City Wide Financial Update and Preliminary Results

Recommendation: Receive and file the report.

Finance Director Williams presented a PowerPoint regarding the Fiscal Year 2019-2020 City Wide Financial Update and Preliminary Results.

CONSENT CALENDAR

Council Member Gonzales pulled Item No. 7.

MOTION

Mayor Pro Tem Ybarra moved and Council Member Davis seconded a motion to approve the Consent Calendar, with the exception of Item No. 7. The question was called and the motion carried unanimously.

The Consent Calendar consisted of the following items:

6. **Approval of Minutes**
Recommendation: Approve the July 21, 2020 Regular City Council meeting minutes.
8. **Public Works Monthly Building Report**
Recommendation: Receive and file the June 2020 Building Report.
9. **Amendment to the Agreement with Southeast Area Animal Control Authority (SEAACA)**
Recommendation: Approve the Amendment to the Agreement with SEAACA for animal control services to update the schedule of fees effective July 1, 2020.
10. **Acceptance of Electrical Easement at 2244 37th Street (APN 6302-013-045)**
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.
11. **Federal Equitable Sharing Agreement and Annual Certification Report**
Recommendation: Approve and authorize the Police Chief and City Administrator to execute the Federal Equitable Sharing Agreement and Annual Certification Report.
12. **Transfer Agreement with the Los Angeles County Flood Control District for Measure W Funds**
Recommendation: Approve and authorize the City Administrator to execute the Transfer Agreement between the City of Vernon and the Los Angeles County Flood Control District to receive Annual Safe, Clean Water Program Funds (Measure W).
13. **Amendment to the Order Form with NeoGov**
Recommendation: Approve and authorize the City Administrator to execute the NeoGov Amendment for Biddle Software upgrade, in an amount not-to-exceed \$4,476.53, for a one-year term, effective July 9, 2020.
14. **Appointments to Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority**
Recommendation: Adopt Resolution No. 2020-27 updating the City staff member's appointments to the Los Angeles Gateway Region Integrated Water Management Joint Power Authority and repealing Resolution No. 2017-45.
15. **First Amendment to Agreement Number C-131831 with City of Los Angeles for Fiscal Year 2017 Urban Areas Security Initiative Grant Program**

Recommendation: Approve and authorize the Mayor to execute the First Amendment to Agreement Number C-131831 of City of Los Angeles Contract between the City of Los Angeles and the City of Vernon in connection with the Fiscal Year 2017 Urban Areas Security Initiative (UASI 17) grant program in substantially the same form as submitted, to increase the UASI 17 grant fund allocation amount by an additional \$304.54, resulting in a total grant allocation of \$25,304.54.

The following item was pulled from the Consent Calendar for individual consideration:

7. Operating Account Warrant Register

Recommendation: Approve Operating Account Warrant Register No. 50, for the period of July 5 through July 18, 2020, which totals \$9,880,407.93 and consists of ratification of electronic payments totaling \$9,671,103.58 and ratification of the issuance of early checks totaling \$209,304.35.

In response to Council Member Gonzales, Finance Director Williams explained the payment to AltaMed. City Administrator Fandino stated AltaMed had stopped testing and the warrant was payment for services approved by Council.

In response to Council Member Menke, Interim City Attorney Alvarez-Glasman recommended discussion of the \$900,000 warrant to Morgan Lewis during closed session.

MOTION

Council Member Menke moved and Council Member Gonzales seconded a motion to approve Operating Account Warrant Register No. 50 with the exception of the payment to Morgan Lewis in the amount of \$900,000. The question was called and the motion carried unanimously.

NEW BUSINESS

16. Amendments to the Classification and Compensation Plan

Recommendation: 1) Adopt Resolution No. 2020-28 amending Exhibits A and C of the Classification and Compensation Plan adopted by Resolution No. 2020-19 to add new and amended classifications and associated salary ranges; and 2) Approve the revised job descriptions for the positions for Deputy City Treasurer; Deputy Director of Public Works; Utilities Dispatcher, Senior; Utilities Compliance Analyst; and Water Maintenance Worker, Senior.

Human Resources Director Earl presented the staff report.

MOTION

Mayor Pro Tem Ybarra moved and Council Member Menke seconded a motion to adopt Resolution No. 2020-28 amending Exhibits A and C of the Classification and Compensation Plan adopted by Resolution No. 2020-19 to add new and amended classifications and associated salary ranges, with Section 3 amended to remove the Finance Specialist series; and approve the revised job descriptions for the positions for Deputy City Treasurer; Deputy Director of Public Works; Utilities Dispatcher, Senior; Utilities

Compliance Analyst; and Water Maintenance Worker, Senior. The question was called and the motion carried unanimously.

17. Agreement with Public Health Advocates and Kounkuey Design Initiative, Inc. for Preparation of a Statewide Park Program Grant Application

Recommendation: Approve and authorize the City Administrator to execute the Agreement between the City of Vernon, Public Health Advocates and Kounkuey Design Initiative, Inc. to provide technical assistance services to the City for the preparation and submission of a grant application for Statewide Park Program (SPP) funding for the purchase and development of the property located at 5122 South Atlantic Boulevard, Vernon, into a park at no cost to the City for the term of the SPP funding application process.

Public Works Director Wall presented the staff report.

In response to Mayor Pro Tem Ybarra, Public Works Director Wall estimated the cost to be \$3 to \$4 million without the grant.

MOTION

Mayor Pro Tem Ybarra moved and Council Member Davis seconded a motion to approve and authorize the City Administrator to execute the Agreement between the City of Vernon, Public Health Advocates and Kounkuey Design Initiative, Inc. to provide technical assistance services to the City for the preparation and submission of a grant application for Statewide Park Program (SPP) funding for the purchase and development of the property located at 5122 South Atlantic Boulevard, Vernon, into a park at no cost to the City for the term of the SPP funding application process. 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 also provided an update on the USC COVID-19 vaccine testing, \$50 raffle for residents who shared their contact information with the City, and Back to School outreach planning. He announced the Business and Industry Commission meeting on August 13, 2020, and the cancellation of the August 18, 2020 Regular City Council meeting.

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

None.

RECESS

Mayor Lopez recessed the meeting to Closed Session at 9:55 a.m.

CLOSED SESSION

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 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.

19. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: 2700 South Indiana Street, Vernon CA 90058

Agency Negotiator: Carlos Fandino, City Administrator

Negotiating Party: Exide Holdings, Inc.

Under Negotiation: Price and Terms of Payment

20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (two cases)

Government Code Section 54956.9(d)(1)

A. Bicent (California) Malburg LLC et al. v. City of Vernon et al.,
Los Angeles Superior Court Case No.19STCV08859 and JAMS Reference No.
1100107175

B. City of Vernon v. Bicent (California) Malburg LLC
Los Angeles Superior Court Case No.19STCP02411 and JAMS Reference No.
1220062657

RECONVENE

At 11:23 a.m., Mayor Lopez adjourned Closed Session and reconvened the regular meeting.

CLOSED SESSION REPORT

Interim City Attorney Alvarez-Glasman reported that the Council, with all five members being present, met in Closed Session and discussed all items on the agenda.

7. Operating Account Warrant Register (Continued)

Recommendation: Approve Operating Account Warrant Register No. 50, for the period of July 5 through July 18, 2020, which totals \$9,880,407.93 and consists of ratification of electronic payments totaling \$9,671,103.58 and ratification of the issuance of early checks totaling \$209,304.35.

MOTION

Council Member Menke moved and Council Member Davis seconded a motion to approve payment to Morgan Lewis in the amount of \$900,000. The question was called and the motion carried unanimously.

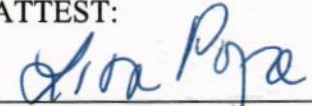
ADJOURNMENT

Mayor Lopez adjourned the meeting at 11:27 a.m.



LETICIA LOPEZ, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)