

**MINUTES  
VERNON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, OCTOBER 6, 2020  
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

**CALL TO ORDER**

Mayor Lopez called the meeting to order at 9:08 a.m.

**FLAG SALUTE**

Mayor Lopez announced that given the meeting followed the Board of Library Trustees meeting, there is no need to conduct 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  
Fredrick Agyin, Health and Environmental Control Director  
Michael Earl, Human Resources Director  
Anthony Miranda, Police Chief  
Dan Wall, Public Works Director  
Andrew C. Smith, Firefighter/Paramedic  
Dean A. Richens, Fire Captain

**APPROVAL OF THE AGENDA**

**MOTION**

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

**PUBLIC COMMENT**

Marisa Olguin, Chamber of Commerce, commended Robert Gutterman on his service to the City and wished him well on his retirement.

## PRESENTATIONS

1. **Recognition of Robert Gutterman - Vice President of Finance for Crown Poly, Inc.**  
Recommendation: Acknowledge and present a proclamation to Robert Gutterman, retired Vice President of Finance for Vernon business Crown Poly, Inc., in recognition of his leadership of the business community in the City of Vernon.

City Clerk Pope read the proclamation and Mayor Pro Tem Ybarra presented the proclamation to Robert Gutterman – Vice President of Finance for Crown Poly, Inc.

2. **Recognition of Retiring Employee - Andrew C. Smith, Firefighter/Paramedic**  
Recommendation: Acknowledge and present a proclamation to retiring employee Andrew C. Smith, Firefighter/Paramedic, in recognition of his dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged retiring employee Andrew C. Smith, Firefighter/Paramedic and presented the proclamation.

3. **Recognition of Retiring Employee - Dean A. Richens, Fire Captain**  
Recommendation: Acknowledge and present a proclamation to retiring employee Dean A. Richens, Fire Captain, in recognition of his dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged retiring employee Dean A. Richens, Fire Captain and presented the proclamation.

## PUBLIC HEARINGS

4. **Resolution of Necessity - Acquisition of Property for Right of Way 5122 S. Atlantic Boulevard**  
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 B. Adopt Resolution No. 2020-31 finding and determining that the public interest and necessity require the acquisition by eminent domain of interests in certain real property for public use and authorizing and directing condemnation of portions of Assessor's Parcel No. 6314-003-001 for the Atlantic Boulevard Bridge of Los Angeles River Project.

Public Works Director Wall presented the staff report.

Mayor Lopez opened the Public Hearing. There being no speakers, Mayor Lopez closed the Public Hearing.

## MOTION

Council Member Menke 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 any 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 Resolution No. 2020-31 finding and determining that the public interest and necessity require the acquisition by eminent domain of interests in certain real property for public use and authorizing and directing condemnation of portions of Assessor's Parcel No. 6314-003-001 for the Atlantic Boulevard Bridge of Los Angeles River Project. The question was called and the motion carried unanimously.

## 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. **Approval of Minutes**  
Recommendation: Approve the September 15, 2020 Regular City Council meeting minutes.
6. **Operating Account Warrant Register**  
Recommendation: Approve Operating Account Warrant Register No. 53, for the period of August 30 through September 19, 2020, which totals \$10,624,670.01 and consists of ratification of electronic payments totaling \$10,351,172.28 and ratification of the issuance of early checks totaling \$273,497.73.
7. **Public Works Department Monthly Building Report**  
Recommendation: Receive and file the August 2020 Building Report.
8. **CalRecycle Grant Funding for Fiscal Year 2020-2021**  
Recommendation: Receive and file update on award of grant.
9. **Replacement of Police Patrol Vehicle**  
Recommendation: Approve and authorize the issuance of a purchase order to Folsom Lake Ford for a 2021 Police Interceptor patrol vehicle through the State of California Vehicle Purchase Contract (1-18-23-14B) for a total cost not to exceed \$53,000.
10. **Change Order No. 11 to the Consulting Services Agreement (CS-0099) with CNS Engineers, Inc. for the Atlantic Boulevard Bridge Rehabilitation and Widening Project**  
Recommendation: A. Find that approval of the proposed change order is within the Initial Study/Mitigated Negative Declaration prepared for the project pursuant to the provisions under the California Environmental Quality Act (CEQA) in accordance with Section 15063 of the CEQA Guidelines; and B. Approve and authorize the City Administrator to execute Agreement Change Order No. 11, in substantially the same form as submitted, for the Atlantic Boulevard Bridge Rehabilitation and Widening Project, Federal Project No. DBPL02-5139(010), CS-0099, extending the project schedule from December 31, 2020 to December 31, 2021 and authorizing CNS Engineers, Inc. to provide the additional

engineering design and coordination services as described below for the additional cost of \$113,865.10, increasing the total agreement cost to \$2,014,340.45.

**11. Little Free Library Project**

Recommendation: Approve the Little Free Library project and allocate \$4,000 from Community Development Account No. 011.1070.797000 for the project.

**NEW BUSINESS**

**12. Services Agreement with Arroyo Group for Preparation of Mixed-Use Specific Plan and Program Environmental Impact Report (EIR) Preparation (West-Side Project)**

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. As indicated in the Staff Report, one of the outcomes of the proposed action is to develop a Program Environmental Impact Report (PEIR) for potential project(s), and any required environmental impact analysis will be conducted at the appropriate project phase; and B. Approve and authorize the City Administrator to execute the agreement between the City of Vernon and the Arroyo Group for the preparation of the Mixed-Use Specific Plan and Program EIR and the preparation of the General Plan and Housing Element Updates for a total not-to-exceed amount of \$545,890.

Public Works Director Wall presented the staff report.

**MOTION**

Mayor Pro Tem Ybarra moved and Council Member Menke 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 any direct or indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines section 15378. As indicated in the Staff Report, one of the outcomes of the proposed action is to develop a Program Environmental Impact Report (PEIR) for potential project(s), and any required environmental impact analysis will be conducted at the appropriate project phase; and B. Approve and authorize the City Administrator to execute the agreement between the City of Vernon and the Arroyo Group for the preparation of the Mixed-Use Specific Plan and Program EIR and the preparation of the General Plan and Housing Element Updates for a total not-to-exceed amount of \$545,890. The question was called and the motion carried unanimously.

**13. Services Agreement with A.M. Ortega Construction, Inc. for Natural Gas Project Design - Construction and Repair Services**

Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review because it is an 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 even if the proposed action constituted a "project" under CEQA, the project would be categorically exempt in accordance with CEQA Guidelines Section 15301, because the project consists of the maintenance, repair or minor alteration of existing facilities and

involves negligible or no expansion of an existing use; and B. Approve and authorize the City Administrator to execute a Services Agreement with A.M. Ortega Construction, Inc., a California corporation, for Natural Gas Project Design – Construction & Repair Services, in substantially the same form as submitted, for an amount not to exceed \$990,000 over a three-year term, with an effective date of October 6, 2020.

Public Utilities General Manager Alemu presented the staff report.

In response Council questions, Public Utilities General Manager Alemu explained the current services provided by CNS Engineers, Inc. and the proposed cost.

#### **MOTION**

Mayor Pro Tem Ybarra moved and Council Member Davis seconded a motion to: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review because it is an 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 even if the proposed action constituted a “project” under CEQA, the project would be categorically exempt in accordance with CEQA Guidelines Section 15301, because the project consists of the maintenance, repair or minor alteration of existing facilities and involves negligible or no expansion of an existing use; and B. Approve and authorize the City Administrator to execute a Services Agreement with A.M. Ortega Construction, Inc., a California corporation, for Natural Gas Project Design – Construction & Repair Services, in substantially the same form as submitted, for an amount not to exceed \$990,000 over a three-year term, with an effective date of October 6, 2020. The question was called and the motion carried unanimously.

#### **14. Amendments to the Classification and Compensation Plan**

Recommendation: 1) Approve the revised job descriptions for the positions of Buyer, Assistant Buyer, and Risk Management Assistant and new job descriptions for the positions of Finance Specialist, and Finance Specialist, Senior; and 2) Adopt Resolution No. 2020-32 amending Exhibit C of the Classification and Compensation Plan, adopted by Resolution No. 2020-19 to add new and amended classifications and associated salary ranges.

Human Resources Director Earl presented the staff report.

In response Council questions, Human Resources Director Earl explained that most cases were reallocation of positions and no new staff was being added.

#### **MOTION**

Council Member Menke moved and Mayor Pro Tem Ybarra seconded a motion to approve the revised job descriptions for the positions of Buyer, Assistant Buyer, and Risk Management Assistant and new job descriptions for the positions of Finance Specialist, and Finance Specialist, Senior and adopt Resolution No. 2020-32 amending Exhibit C of the Classification and Compensation Plan, adopted by Resolution No. 2020-19 to add new

and amended classifications and associated salary ranges. The question was called and the motion carried unanimously.

**15. Conflict of Interest Code (Statement of Economic Interests)**

Recommendation: Adopt Resolution No. 2020-33 establishing a conflict of interest code for all agencies, boards, commission, committees, designated city personnel and officials, and repealing Resolution No. 2018-40.

City Clerk Pope presented the staff report.

**MOTION**

Council Member Davis and Council Member Menke seconded a motion to adopt Resolution No. 2020-33 establishing a conflict of interest code for all agencies, boards, commission, committees, designated city personnel and officials, and repealing Resolution No. 2018-40. 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 Vernon Public Utilities activities. He stated Code Enforcement efforts would resume. He provided an overview of the financial audit and Exide site cleanup. He invited the Council to judge the Halloween festivities on October 29<sup>th</sup> and to participate in the Family Game Night raffle following the Council meeting. He encouraged the Council to provide feedback on the Metro Link Union Station project adjustments to BNSF's Malabar yard train storage.

City Clerk Pope announced the Special City Council meeting on October 13, 2020 at 9:00 a.m.

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

None.

**RECESS**

Mayor Lopez recessed the meeting to Closed Session at 10:04 a.m.

**CLOSED SESSION**

- 16. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Significant exposure to litigation  
Government Code Section 54956.9(d)(2)  
Number of potential cases: 27  
Facts and Circumstances: The facts and circumstances that might result in litigation need not be disclosed Pursuant to Government Code Section 54956.9(e)(1).
  
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Government Code Section 54956.9(d)(1)  
Marco Garcia-Martinez vs. City of Vernon, et al.  
Los Angeles Superior Court Case No. BC689446
  
- 18. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Government Code Section 54956.8  
Assessor’s Parcel Numbers: 6314-033-003 and 6314-033-005  
Agency negotiator: Carlos Fandino, City Administrator  
Negotiating parties: Magellan Atlantic I, LLC  
Under negotiation: Price and Terms of Payment

**RECONVENE**

At 10:42 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, discussed the items on the agenda, and took no reportable action.

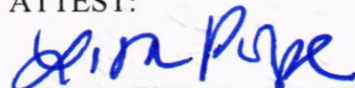
**ADJOURNMENT**

Mayor Lopez adjourned the meeting at 10:43 a.m.



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LETICIA LOPEZ, Mayor

ATTEST:

  
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LISA POPE, City Clerk  
(seal)