

**MINUTES  
VERNON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, NOVEMBER 2, 2021  
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

**CALL TO ORDER**

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

**FLAG SALUTE**

Mayor Ybarra led the Flag Salute.

**ROLL CALL**

PRESENT: Melissa Ybarra, Mayor  
William Davis, Mayor Pro Tem  
Leticia Lopez, Council Member  
Crystal Larios, Council Member  
Judith Merlo, Council Member

**STAFF PRESENT:**

Carlos Fandino, City Administrator  
Zaynah Moussa, Interim City Attorney  
Lisa Pope, City Clerk  
Scott Williams, Finance Director  
Abraham Alemu, Public Utilities General Manager  
Michael Earl, Human Resources Director  
Fredrick Agyin, Health and Environmental Control Director  
Robert Sousa, Police Chief  
Dan Wall, Public Works Director

**APPROVAL OF THE AGENDA**

**MOTION**

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

**PRESENTATIONS**

- 1. California Highway Patrol (CHP) “10851” Grand Theft Auto Recovery Award**  
Recommendation: No action required by City Council. This is a presentation only.

Captain Sousa presented the California Highway Patrol (CHP) “10851” Grand Theft Auto Recovery Award to Officer Alfonso Madrigal and Officer Patrick Cam.

## **PUBLIC COMMENT**

Leonard Barrales, Los Angeles County Economic Development Corporation, presented the City with a Certificate of Gold honoring the City as a Finalist in the Small Cities Category for the 2021 Most Business-Friendly City Award during and in response to COVID-19.

## **CONSENT CALENDAR**

Mayor Ybarra pulled Item Nos. 6 and 7.

## **MOTION**

Mayor Pro Tem Davis moved and Council Member Larios 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. City Council Meeting Minutes**  
Recommendation: Approve the October 19, 2021 Regular and October 21, 2021 Special City Council meeting minutes.
- 3. Operating Account Warrant Register**  
Recommendation: Approve Operating Account Warrant Register No. 76, for the period of October 3 through October 16, 2021, totaling \$8,126,996.87 and consisting of ratification of electronic payments totaling \$7,989,360.75 and ratification of the issuance of early checks totaling \$137,636.12.
- 4. Redevelopment Agency Obligation Retirement Account Warrant Register**  
Recommendation: Approve Redevelopment Agency Obligation Retirement Account Warrant Register No. 61, for the period of September 19 through October 16, 2021 and consisting of ratification of electronic payments totaling \$2,250.00.
- 5. Public Works Department Monthly Report**  
Recommendation: Receive and file the September 2021 Building Report.
- 8. Amendment No. 1 to the Services Agreement with BLX Group LLC for Financial Advisory Services**  
Recommendation: Approve and authorize the City Administrator to execute Amendment No. 1 to Services Agreement with BLX Group LLC, in substantially the same form as submitted, for financial advisory services, increasing the total not-to-exceed amount by an additional \$600,000.
- 9. Amendment No. 1 to Attorney Services Agreement (Transactional) (LP-0670) with Stradling Yocca Carlson & Rauth for Acquisition Counsel Services and Bond and Disclosure Counsel Services Related to the Potential Acquisition of Malburg Generating Station (MGS)**  
Recommendation: Approve and authorize the City Administrator to execute Amendment No. 1 to Attorney Services Agreement (Transactional) with Stradling Yocca Carlson & Rauth, in substantially the same form as submitted, for acquisition counsel and bond and disclosure counsel services related to MGS, increasing the total not-to-exceed amount by an additional \$175,000.
- 10. Amendment No. 2 to the Attorney Services Agreement (Transactional) (LP-0517)**

**with Stradling Yocca Carlson & Rauth, P.C. for Bond and Disclosure Counsel Services**

Recommendation: Approve and authorize the City Administrator to execute Amendment No. 2 to Attorney Services Agreement (Transactional) with Stradling Yocca Carlson & Rauth, P.C., in substantially the same form as submitted, for bond and disclosure counsel services, increasing the total not-to-exceed amount by an additional \$410,000.

**The following items were pulled from the Consent Calendar for individual consideration:****7. Change Order No. 12 to the Consulting Services Agreement (CS-0099) with CNS Engineers, Inc. for the Atlantic Boulevard Bridge Rehabilitation and Widening Project**

Recommendation: A. Find that the approval of the proposed change order is within the Initial Study/Mitigated Negative Declaration prepared for this 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. 12, in substantially the same form as submitted, for the Atlantic Boulevard Bridge Rehabilitation and Widening Project, Federal Project No. DBPL02-5139(010), Contract No. CS-0099, extending the project schedule from December 31, 2021 to December 31, 2022 and authorizing CNS Engineers, Inc. to provide additional right-of-way acquisition support and coordination services required to complete Caltrans Right of Way Certification for the additional cost of \$166,028.03, increasing the total contract cost to \$2,180,368.48.

In response to Mayor Ybarra, Public Works Director Wall explained issues with designing the bridge and indicated he did not anticipate future change orders.

**MOTION**

Council Member Lopez moved and Council Member Merlo seconded a motion to: A. Find that the approval of the proposed change order is within the Initial Study/Mitigated Negative Declaration prepared for this 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. 12, in substantially the same form as submitted, for the Atlantic Boulevard Bridge Rehabilitation and Widening Project, Federal Project No. DBPL02-5139(010), Contract No. CS-0099, extending the project schedule from December 31, 2021 to December 31, 2022 and authorizing CNS Engineers, Inc. to provide additional right-of-way acquisition support and coordination services required to complete Caltrans Right of Way Certification for the additional cost of \$166,028.03, increasing the total contract cost to \$2,180,368.48.. The question was called and the motion carried unanimously.

**6. Amendment to the Classification and Compensation Plan**

Recommendation: A. Approve a new job description for Administrative Intern; and B. Adopt Resolution No. 2021-37 amending Exhibit A of the Classification and Compensation Plan adopted by Resolution No. 2021-16 to add a new classification and associated salary range for the position of Administrative Intern.

Human Resources Director Earl presented the staff report.

In response to Council questions, Human Resources Director Earl discussed outreach to colleges and targeting local and or specialized programs.

### **MOTION**

Council Member Larios moved and Council Member Lopez seconded a motion to: A. Approve a new job description for Administrative Intern; and B. Adopt Resolution No. 2021-37 amending Exhibit A of the Classification and Compensation Plan adopted by Resolution No. 2021-16 to add a new classification and associated salary range for the position of Administrative Intern. The question was called and the motion carried unanimously.

### **NEW BUSINESS**

#### **11. Sidewalk Vendor Regulations**

Recommendation: Direct staff to bring back an ordinance adding Article X to Chapter 22 of the Municipal Code regulating sidewalk vending.

Public Works Director Wall presented the staff report.

The Council discussed insurance, fingerprinting/background checks. Time of day and locations restrictions and penalties and determined to proceed with staff recommendations, adding assurance that fingerprinting would not trigger notification to any other agencies and adding written warning as the penalty for first violation.

### **CONSENSUS**

By consensus, the Council directed staff to bring back an ordinance adding Article X to Chapter 22 of the Municipal Code regulating sidewalk vending.

### **ORAL REPORTS**

#### **City Administrator Reports on Activities and other Announcements.**

City Administrator Fandino reported on the recent Halloween Spooktacular community outreach event and City Clean-Up Efforts at the rail spurs located off of Malburg Way. He announced the Vernon Tree Lighting on December 2, Huntington Park Holiday Parade on December 11, Operation Santa on December 15, and Holiday event on December 16. He noted the upcoming Council meeting schedule.

Public Works Director Wall explained the air quality monitoring pilot project in the Council Chambers.

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

None.

**RECESS**

Mayor Ybarra recessed the meeting to Closed Session at 9:41 a.m.

**CLOSED SESSION**

**12. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Government Code Section 54956.8  
Property: Malburg Generating Station, 2715 East 50th Street, Vernon, California  
Agency negotiator: Carlos Fandino, City Administrator  
Negotiating parties: Bicent (California) Malburg LLC  
Under negotiation: Consideration of Price and Terms of Payment

**13. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation  
Government Code Section 54956.9(d)(2)  
Number of potential cases: 1

**RECONVENE**

At 10:42 a.m., Mayor Ybarra adjourned Closed Session and reconvened the regular meeting.

**CLOSED SESSION REPORT**

Interim City Attorney Moussa reported that the Council met in Closed Session, discussed the items on the agenda and took no reportable action.

**ADJOURNMENT**

Mayor Ybarra adjourned the meeting at 10:42 a.m.

DocuSigned by:  
*Melissa Ybarra*  
MELISSA YBARRA, Mayor

ATTEST:  
DocuSigned by:  
*Lisa Pope*  
LISA POPE, City Clerk  
(seal)