

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 16, 2021
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

Mayor Ybarra called the meeting to order at 9:00 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 (via remote access)
Crystal Larios, Council Member
Judith Merlo, Council Member

STAFF PRESENT:

Angela Kimmey, Acting Deputy 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

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

PUBLIC COMMENT

Jacob Melamed, LASpec, thanked staff for resolving a dangerous situation on the Union Pacific abandoned railroad behind his business. He requested additional security patrols and flexibility in the planning process to make improvements to their business.

PRESENTATIONS

1. Employee Service Pin Awards for October 2021

Recommendation: No action required by City Council. This is a presentation only.

Human Resources Director Earl presented City pins to Jessica A. Balandran, Utilities Compliance Analyst; Jonathan D. Gonzales, Senior Water Maintenance Worker; and Mayor Ybarra presented a City pin to Michael A. Earl, Director of Human Resources.

Human Resources Director Earl acknowledged Michelle J. Sapak, Senior Account Clerk; Willie A. Carram, Utilities Dispatcher as recipients of the Employee Service Pin Awards for October 2021.

2. Recognition of Retired Employee - Jerry R. Chavez, Jr.

Recommendation: Acknowledge and present a proclamation to retired safety employee Jerry R. Chavez, Jr., in recognition of his years of service to the City of Vernon.

1. Proclamation - Jerry R. Chavez, Jr.

City Clerk Pope read the proclamation.

RECESS

Mayor Ybarra recessed the meeting to Closed Session at 9:09 a.m.

CLOSED SESSION

3. 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

4. CONFERENCE WITH LEGAL COUNSEL - THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code Section 54957(a)

Consultation with: Vernon Police Department, Chief of Police

RECONVENE

At 9:40 a.m., Mayor Ybarra adjourned the 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.

CONSENT CALENDAR**MOTION**

Mayor Pro Tem Davis moved and Council Member Lopez 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 November 2, 2021 Regular City Council meeting minutes.
- 6. Operating Account Warrant Register**
Recommendation: Approve Operating Account Warrant Register No. 77, for the period of October 17 through October 30, 2021, totaling \$13,519,495.21 and consisting of ratification of electronic payments totaling \$13,025,475.89 and ratification of the issuance of early checks totaling \$494,019.32.
- 7. City Payroll Warrant Register**
Recommendation: Approve City Payroll Warrant Register No. 785, for the period of October 1 through October 31, 2021, totaling \$2,389,866.59 and consisting of ratification of direct deposits, checks and taxes totaling \$1,572,709.14 and ratification of checks and electronic fund transfers (EFT) for payroll related disbursements totaling \$817,157.45 paid through operating bank account.
- 8. April 12, 2022 General Municipal Election**
Recommendation: A. Adopt Resolution No. 2021-38 calling and giving notice of an all-mail ballot General Municipal Election to be held on Tuesday, April 12, 2022, for the election of a City Council Member as required by the provisions of the Charter of the City of Vernon; and B. Adopt Resolution No. 2021-39 requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, April 12, 2022.
- 9. Fire Department Activity Report**
Recommendation: Receive and file the September 2021 Fire Department Activity Report.
- 10. Police Department Activity Report**
Recommendation: Receive and file the September 2021 Police Department Activity Report
- 11. Police Radio Equipment Purchase**
Recommendation: Authorize the issuance of a purchase order to Motorola Solutions Inc., in an amount not to exceed \$88,820.09 for the purchase of nine (9) Motorola APX 8500 All-Band P25 Mobile Police Unit Radios and one (1) Motorola P25 KVL 5000 Encryption Key Loader.
- 12. Arbor Day Proclamation and Application for Tree City USA 2021**
Recommendation: A. Proclaim November 16, 2021 as Arbor Day in the City of Vernon; and B. Authorize the Public Works Department to submit an application to the Arbor Day Foundation for Vernon to be Certified a Tree City USA for 2021.
- 13. Conduct of Meetings via Teleconference Pursuant to Assembly Bill 361**
Recommendation: Ratify the findings in Resolution No. 2021-36 authorizing continued conduct of City Council and all other City legislative body meetings via teleconference, in accordance with Assembly Bill 361 (AB 361), due to continued public health and safety concerns caused by COVID-19.

14. Declaration of a Phase I Water Supply Shortage

Recommendation: A. Find that the proposed action is exempt from California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines Section 15307, because the action is being carried out by a regulatory agency as authorized by the California Governor's October 19, 2021 Drought State of Emergency Proclamation to assure the maintenance, restoration or enhancement of water resources; and B. Adopt Resolution No. 2021-40 declaring a Phase I Water Supply Shortage pursuant to Section 25.013 of the Vernon Municipal Code and repealing Resolution No. 2017-19.

NEW BUSINESS**15. Approval of Purchase and Sale Agreement for the Malburg Generating Station and Related Assets**

Recommendation: A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines § 15601(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment, and § 15301 because the City's acquisition of the Malburg Generating Station (MGS) facilities and property involves negligible or no expansion of an existing use; and B. Adopt Resolution No. 2021-41 authorizing and approving a Purchase and Sale Agreement with respect to the Malburg Generating Station and related assets; approving other documents in connection with such acquisition; and authorizing certain other matters relating thereto.

Acting Deputy City Administrator Kimmey, Finance Director Williams, Interim City Attorney Mousa, and Doug Brown, Stradling Yocca Carlson & Rauth presented the staff report, noting the supplemental agenda report depicting modifications to the Purchase and Sale Agreement.

MOTION

Council Member Lopez moved and Council Member Merlo seconded a motion to: A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines § 15601(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment, and § 15301 because the City's acquisition of the Malburg Generating Station (MGS) facilities and property involves negligible or no expansion of an existing use; and B. Adopt Resolution No. 2021-41 authorizing and approving a Purchase and Sale Agreement with respect to the Malburg Generating Station and related assets; approving other documents in connection with such acquisition; and authorizing certain other matters relating thereto. The question was called and the motion carried unanimously.

16. Amendment to the Classification and Compensation Plan

Recommendation: A. Approve new or revised job descriptions for Assistant General Manager - Generation and Operations; Control Room Operator; Control Room Operator, Senior; Field Operator; Human Resources Analyst (revised), Instrument and Controls Technician; Maintenance Manager; Material Control Administrator; Mechanic/Welder; Mechanic/Welder, Lead; Operations Manager; Plant Electrician; Plant Engineer; Senior Human Resources Analyst (revised); Site Safety Administrator/Control Room Operator;

and B. Adopt Resolution No. 2021-42 amending Exhibit A of the Classification and Compensation Plan, adopted by Resolution No. 2021-36, as amended by Resolution Nos. 2021-27 and 2021-37, approving new or revised salary ranges for the above referenced classifications.

Human Resources Director Earl presented the staff report, noting modifications to the resolution.

MOTION

Mayor Pro Tem Davis moved and Council Member Larios seconded a motion to: A. Approve new or revised job descriptions for Assistant General Manager - Generation and Operations; Control Room Operator; Control Room Operator, Senior; Field Operator; Human Resources Analyst (revised), Instrument and Controls Technician; Maintenance Manager; Material Control Administrator; Mechanic/Welder; Mechanic/Welder, Lead; Operations Manager; Plant Electrician; Plant Engineer; Senior Human Resources Analyst (revised); Site Safety Administrator/Control Room Operator; and B. Adopt Resolution No. 2021-42 amending Exhibit A of the Classification and Compensation Plan, adopted by Resolution No. 2021-36, as amended by Resolution Nos. 2021-27 and 2021-37, approving new or revised salary ranges for the above referenced classifications. The question was called and the motion carried unanimously.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements.

Acting Deputy City Administrator Kimmey announced Supervisor Solis' Operation Gobble Gobble on November 20, 2021 and indicated the City would be providing approximately 1,000 turkeys for the local distribution event in Commerce. She wished everyone a wonderful Thanksgiving holiday.

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

Mayor Ybarra thanked staff for its work on the Los Angeles County Economic Development Corporation EDDY Award.

ADJOURNMENT

Mayor Ybarra adjourned the meeting at 9:56 a.m.

DocuSigned by:
Melissa Ybarra
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MELISSA YBARRA, Mayor

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