

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 7, 2021
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

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

FLAG SALUTE

Vernon Police Department Honor Guard 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.

PUBLIC COMMENT

None.

PRESENTATIONS**1. Swearing-In Ceremony for Various Personnel in the Police Department**

Recommendation: Administer the Oath of Office to Police Officers Andre Arana, Teresa Flores, Cynthia Maciel, and Carlos Saldana; Sergeants Anthony Encinas and Lorenzo Gaytan; Lieutenant Gustavo Herrera; and Captain Brandon Gray.

Chief Sousa presented the staff report and introduced the Police Department personnel.

City Clerk Pope administered the Oath of Office to Police Officers Andre Arana, Teresa Flores, Cynthia Maciel, and Carlos Saldana; Sergeants Anthony Encinas and Lorenzo Gaytan; Lieutenant Gustavo Herrera; and Captain Brandon Gray.

2. Report on Vernon CommUNITY Fund Grant Committee Awards and Grantee Certificates for Fiscal Year (FY) 2021-2022 Docket I

Recommendation: A. Receive and file the report; and B. Present Certificates to FY 2021-2022 Docket I Grant Recipients.

City Clerk Pope announced the FY 2021-2022 Docket I Grant Recipients.

Mayor Ybarra presented the certificates to: 1) Alzheimer's Greater Los Angeles (Returning Grantee) - \$20,000; 2) CA Derby Dolls (Returning Grantee) - \$15,000; 3) Centinela Youth Services - \$15,000; 4) Chicas Rockeras Southeast Los Angeles (Returning Grantee) - \$25,000; 5) East Los Angeles Women's Center (Returning Grantee) - \$50,000; 6) Girl Scouts Greater of Los Angeles (Returning Grantee) - \$20,000; 7) Helping Hands Society of Los Angeles - \$15,000; 8) LA Family Housing (Returning Grantee) - \$50,000; 9) Las Fotos Project (Returning Grantee) - \$20,000; 10) Southeast Churches Service Center (Returning Grantee) - \$50,000; 11) Southeast Community Development Corporation (Returning Grantee) - \$23,325; 12) Southeast Los Angeles (SELA) Collaborative - \$40,000; and 13) Woodcraft Rangers (Returning Grantee) - \$30,000.

3. City Administrator Report

Recommendation: Receive presentation on:

- New Business Welcome
- Citywide Property Maintenance/Code Enforcement Efforts
- Pink Patch Project
- Sanitation Districts Facility of the Year Award Nomination
- Blood Drive
- COVID-19 Mobile Vaccination Efforts
- Community Outreach

City Administrator Fandino presented the report.

PUBLIC HEARINGS

4. Permanent Local Housing Allocation Application to the Department of Housing and Community Development

Recommendation: Continue the public hearing to the Special Meeting of the City Council at 8:45 a.m. on December 15, 2021.

MOTION

Council Member Lopez moved and Mayor Pro Tem Davis seconded a motion to continue the public hearing to the December 15, 2021 Special City Council meeting at 8:45 a.m.

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 the Minutes

Recommendation: Approve the November 8, 2021 Special and the November 16, 2021 Regular City Council meeting minutes.

6. Operating Account Warrant Register

Recommendation: Approve Operating Account Warrant Register No. 78, for the period of October 31 through November 20, 2021, totaling \$11,220,214.74 and consisting of ratification of electronic payments totaling \$10,921,984.56 and ratification of the issuance of early checks totaling \$298,230.18.

7. Redevelopment Agency Obligation Retirement Account Warrant Register

Recommendation: Approve Redevelopment Agency Obligation Retirement Account Warrant Register No. 62, for the period of October 17 through November 20, 2021 and consisting of ratification of electronic payments totaling \$2,602.30.

8. 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.

9. Fire Department Activity Report

Recommendation: Receive and file the October 2021 Fire Department Activity Report.

10. Police Department Activity Report

Recommendation: Receive and file the October 2021 Report.

11. Public Works Department Monthly Report

Recommendation: Receive and file the October 2021 Building Report.

12. Amendment No. 1 to the Services Agreement with Jacobs Engineering Group Inc.

Recommendation: Approve and authorize the City Administrator to execute Amendment No. 1 to the Services Agreement with Jacobs Engineering Group Inc. (Jacobs), in substantially the same form as submitted, to amend the scope of work for as-needed environmental compliance support to facilitate the purchase of MGS.

- 13. Terms of Employment Policy**
Recommendation: Adopt revised Personnel Policies and Procedures Manual Policy No. I-01, Terms of Employment.
- 14. Services Agreement with Allied Universal, Contract No. CS-1414**
Recommendation: Approve and authorize the City Administrator to execute a Services Agreement with Universal Building Maintenance, LLC dba Allied Universal Janitorial Services (Allied), in substantially the same form as submitted, for a one (1) year term in an amount not-to-exceed \$128,000.
- 15. Additional Funds for Contract IT-0123 with Insight Public Sector (Insight)**
Recommendation: A. Approve \$26,237.30 in additional funds for Contract IT-0123 with Insight for the purchase of Citywide Office 365 cloud-based software application; and B. Approve additional funds with Insight in the amount of \$30,000 for necessary volume licenses for MGS personnel.
- 16. 2022 Calendar Year Medical, Dental, Vision, and Life Insurance Proposals for City Employee and Retiree Benefit Plans**
Recommendation: Approve the Acceptance of the 2022 Calendar Year Medical, Dental, Vision, and Life Insurance Benefit Proposals and authorize the City Administrator to execute 2022 calendar year carrier agreements with Blue Shield of California, Anthem, MetLife, MES Vision, and Mutual of Omaha.
- 17. Amendment No. 2 to Attorney Services Agreement with Stradling Yocca Carlson & Rauth**
Recommendation: Approve and authorize the City Administrator to execute Amendment No. 2 to Attorney Services Agreement (Transactional) (LP-0670) with Stradling Yocca Carlson & Rauth (Stradling), in substantially the same form as submitted, for acquisition counsel and bond and disclosure counsel services related to the acquisition of the Malburg Generating Station (MGS), increasing the agreement value by an additional \$50,000, for a grand total not-to-exceed amount of \$275,000.

NEW BUSINESS

- 18. Amendment to Vernon Municipal Code Chapter 22 to Regulate Sidewalk Vendors**
Recommendation: A. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines § 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment; B. Waive full reading and introduce and conduct first reading of Ordinance No. 1276 adding Article X to Chapter 22 of the Municipal Code regulating sidewalk vending; and C. Direct staff to schedule second reading and adoption for the January 18, 2022 City Council meeting.

Public Works Director Wall presented the staff report and outlined proposed amendments to the proposed ordinance.

In response to Council questions, Public Works Director Wall, Interim City Attorney Moussa and Health and Environmental Control Director Agyin explained restrictions on sex offenders, background checks, prohibitions around schools, and health permit requirements.

Susie Ybarra expressed concern with vendors near schools and impacts on residents. She requested the information be prominent on the City's website, including how to report a violation.

The Council discussed prior consideration of the ordinance and requested staff provide a radius map when the ordinance came back to Council. The Council requested staff meet with Ms. Ybarra to further explain the proposed ordinance.

MOTION

Council Member Larios moved and Council Member Merlo seconded a motion to direct staff to bring back amendments to Ordinance No. 1276 adding Article X to Chapter 22 of the Municipal Code regulating sidewalk vending. The question was called and the motion carried unanimously.

19. At-Will Agreements for Assistant General Manager of Generation and Operations and Utilities Operations Manager

Recommendation: Approve and authorize the City Administrator to execute At-Will Employment Agreements for the Appointment of the Assistant General Manager of Generation and Operations and the Utilities Operations Manager in substantially the same form as submitted.

Human Resources Director Earl presented the staff report.

MOTION

Council Member Lopez moved and Council Member Merlo seconded a motion to approve and authorize the City Administrator to execute At-Will Employment Agreements for the appointment of the Assistant General Manager of Generation and Operations and the Utilities Operations Manager in substantially the same form as submitted. The question was called and the motion carried unanimously.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements.

City Administrator Fandino announced the City's opportunity to sponsor the Dodgers Foundation Greenfield project at Maywood Park and upcoming Holiday events.

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

Council Member Merlo requested follow-up information on the business owner who addressed the Council regarding the City cleaning up the railroad easement. City Administrator Fandino stated he would provide information in the weekly update.

Mayor Ybarra forwarded thanks from Huntington Park businesses for the City cleaning up railroad easements.

RECESS

Mayor Ybarra recessed the meeting to Closed Session at 10:29 a.m.

CLOSED SESSION

- 20. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –**
Significant exposure to litigation
Government Code Section 54956.9(d)(2) Number of potential cases: 1

- 21. 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

- 22. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (2)**
Government Code Section 54956.9(d)(1)
Jerry Chavez v. City of Vernon
Los Angeles Superior Court Case No. BC719460
Ismael Martines v. City of Vernon, et al.
Los Angeles Superior Court Case No. 19STCV21341

RECONVENE

At 11:12 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 and discussed the items on the agenda. She stated the Council unanimously approved and authorized the execution of Amendment No. 3 to the Attorney Services Agreement (Litigation) with Stream Kim Hicks Wrage & Alfaro, P.C. regarding Jerry Chavez v. City of Vernon, Los Angeles Superior Court Case No. BC719460 and unanimously approved and authorized the execution of a settlement and release agreement in the case of Ismael Martines v. City of Vernon, et al. Los Angeles Superior Court Case No. 19STCV21341.

Regular City Council Meeting Minutes
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ADJOURNMENT

Mayor Ybarra adjourned the meeting at 11:13 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)