

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, MARCH 15, 2022
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
Crystal Larios, Council Member
Judith Merlo, Council Member

STAFF PRESENT:

Carlos Fandino, City Administrator
Angela Kimmey, Deputy City Administrator
Zaynah Moussa, Interim City Attorney
Lisa Pope, City Clerk
Scott Williams, Finance Director
Fredrick Agyin, Health and Environmental Control Director
Michael Earl, Human Resources Director
Robert Sousa, Police Chief
Abraham Alemu, Public Utilities General Manager
Dan Wall, Public Works Director
Todd Dusenbury, Public Utilities Assistant General Manager
Rich Olsen, Public Utilities Assistant General Manager of Generation & Operations

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.

RECESS

Mayor Ybarra recessed the meeting at 9:03 a.m. The meeting reconvened at 9:07 a.m. with all Council Members present.

PRESENTATIONS**1. Employee Service Pin Awards for February 2022**

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

Human Resources Director Earl acknowledged Victor A. Vasquez Jr., Street Maintenance Worker, Lead; and Raymond L. Godoy, Police Officer as the Employee Service Pin Awards recipients for February 2022.

2. Fiscal Year 2020-2021 Government-wide Audited Financial Results

Recommendation: A. Receive presentation on Government-wide Audited Financial Results for Fiscal Year 2020-2021; and B. Receive and file Fiscal Year 2020-2021 Government-wide Annual Financial Report.

Finance Director Williams and Bob Callanan, CLA Connect, presented the item.

MOTION

Council Member Lopez moved and Mayor Pro Tem Davis seconded a motion to receive and file the Fiscal Year 2020-2021 Government-wide Annual Financial Report. The question was called and the motion carried unanimously.

CONSENT CALENDAR**MOTION**

Council Member Lopez moved and Mayor Pro Tem 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:

3. Approval of Minutes

Recommendation: Approve the March 1, 2022 Regular City Council meeting minutes.

4. Operating Account Warrant Register

Recommendation: Approve Operating Account Warrant Register No. 83, for the period of February 13 through February 26, 2022, totaling \$10,359,152.54 and consisting of ratification of electronic payments totaling \$10,098,309.85 and ratification of the issuance of early checks totaling \$260,842.69.

5. City Payroll Warrant Register

Recommendation: Approve City Payroll Warrant Register No. 789, for the period of February 1 through February 28, 2022, totaling \$2,993,490.97 and consisting of ratification of direct deposits, checks and taxes totaling \$2,102,761.38 and

- ratification of checks and electronic fund transfers (EFT) for payroll related disbursements totaling \$890,729.59 paid through operating bank account.
6. **Fire Department Activity Report**
Recommendation: Receive and file the January 2022 Fire Department Activity Report.
 7. **Police Department Activity Report**
Recommendation: Receive and file the January 2022 Police Department Activity Report.
 8. **Quarterly City Housing Report**
Recommendation: Receive and file the March 2022 City Housing Quarterly Report.
 9. **Quarterly Report of Cash and Investments**
Recommendation: Receive and file the Cash and Investment Report for the quarters ending September 30, 2021 and December 31, 2021.
 10. **Right of Way Agreements for the Atlantic Bridge Improvement Project**
Recommendation: A. Find that the proposed action is categorically exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines Section 15301, because the project consists of the minor alteration of existing facilities and involves negligible or no expansion of an existing use; B. Approve and authorize the City Administrator to execute a Possession and Use Agreement with Magellan Atlantic I, LLC, in substantially the same form as submitted, for portions of 3030 Atlantic and deposit an amount of \$453,000 in escrow, and authorize the Mayor to execute related Certificates of Acceptance for certain easements; C. Approve and authorize the City Administrator to execute a Fixtures/Equipment Agreement with Clear Channel Outdoor, in substantially the same form as submitted, for the removal of a billboard located at 5122 S. Atlantic Blvd for an amount of \$34,405; and D. Approve and Authorize the City Administrator to execute a Document Approval Letter with Los Angeles County Flood Control District, in substantially the same form as submitted, for the permanent easements and temporary construction easements over Los Angeles Rivers Parcels for an amount of \$1,431,762, and authorize the Mayor to execute related Certificates of Acceptance for certain easements.
 11. **Professional Service Agreement with GovInvest Inc. for Actuarial Consulting and Technology Services**
Recommendation: Approve and authorize the City Administrator to execute a Professional Services Agreement with GovInvest Inc., in substantially the same form as submitted, for actuarial consulting and technology services for a total amount not-to-exceed \$116,600, for a three-year term.
 12. **Amendment No. 2 Janitorial Services Agreement with Priority Building Services**
Recommendation: A. Find that the approval of the proposed amendment is exempt from California Environmental Quality Act (CEQA) review, as it is an administrative activity that will not result in direct or indirect physical changes in the environment, and therefore is not a "project" as defined by Section 15378 of the CEQA Guidelines; and B. Approve and authorize the City Administrator to execute Amendment No. 2 to Services Agreement with Priority Building Services, LLC, in substantially the same form as submitted, for janitorial services, changing the contract total from \$398,307 to \$436,006.30.

13. Supplemental to Purchase Contract No. CS-1363 with Mega Renovation, Inc. for the Remodel of 4328 Furlong Place

Recommendation: A. Find that the proposed action is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301, because the project consists of the maintenance, repair or minor alteration of an existing facility and involves negligible or no expansion of an existing use; and B. Approve and authorize the issuance of a Supplemental to Purchase Contract No. CS-1363 with Mega Renovations, Inc. for the Remodel of City-Owned Residential Property Located at 4328 Furlong Place for an amount not to exceed \$19,283.95.

NEW BUSINESS**14. Fiscal Year 2021-22 Mid-Year Financial Update**

Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, because it is a government 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 B. Adopt Resolution No. 2022-05 approving Mid-Year Budget Appropriations and amending the Annual Operating and Capital Budget for Fiscal Year 2021-22.

Finance Director Williams presented the staff report.

MOTION

Council Member Lopez moved and Council Member Larios seconded a motion to: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, because it is a government 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 B. Adopt Resolution No. 2022-05 approving Mid-Year Budget Appropriations and amending the Annual Operating and Capital Budget for Fiscal Year 2021-22. The question was called and the motion carried unanimously.

15. Reimbursement Agreement for Shelter Beds Within the Salvation Army Bell Shelter

Recommendation: Approve and authorize the Mayor to execute a Reimbursement Agreement for shelter beds within the Salvation Army Bell Shelter with the cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park, Maywood, and Southgate, collectively referred to as the Local Coordinating Alliance 1 (LCA1) at an estimated cost of \$62,415.50 and not to exceed total of \$100,000 for a term beginning March 1, 2022 and ending on June 30, 2023.

City Administrator Fandino presented the staff report.

In response to Council questions, City Administrator Fandino, Deputy City Administrator Kimmey and Chief Sousa explained Vernon's bed allocation; shelter location; use of the Salvation Army Bell Shelter; and wrap around services.

MOTION

Council Member Lopez moved and Council Member Larios seconded a motion to approve and authorize the Mayor to execute a Reimbursement Agreement for shelter beds within the Salvation Army Bell Shelter with the cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park, Maywood, and Southgate, collectively referred to as the Local Coordinating Alliance 1 (LCA1) at an estimated cost of \$62,415.50 and not to exceed total of \$100,000 for a term beginning March 1, 2022 and ending on June 30, 2023. The question was called and the motion carried unanimously.

16. Change Order No.16 to the Amended and Restated Services Agreement with Siemens Energy, Inc.

Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, because it is a government 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; to the extent the Services Agreement with Siemens Energy provides for facility and equipment maintenance or repairs, such work is categorically exempt from CEQA review, in accordance with CEQA Guidelines § 15301, because the project consists of the maintenance, repair or minor alteration of existing structures, facilities, or equipment, and involves negligible or no expansion of an existing use; B. Approve and authorize the City Administrator to execute Change Order No. 16 to the Amended and Restated Services Agreement with Siemens Energy, Inc., (Siemens Energy) in substantially the same form as submitted, to revise the Payment Schedule and amend the termination date of the agreement; and C. Approve the issuance of a blanket Purchase Contract in an amount not-to-exceed \$450,000 for maintenance services with Siemens Energy for the remainder of fiscal year 2021-2022.

Public Utilities General Manager Alemu and Public Utilities Assistant General Manager of Generation and Operations Olsen presented the staff report.

In response to Council questions, Public Utilities Assistant General Manager of Generation and Operations Olsen explained the proposed blanket purchase contract and anticipated costs.

MOTION

Council Member Lopez moved and Mayor Pro Tem 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 a government 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; to the extent the Services Agreement with Siemens Energy

provides for facility and equipment maintenance or repairs, such work is categorically exempt from CEQA review, in accordance with CEQA Guidelines § 15301, because the project consists of the maintenance, repair or minor alteration of existing structures, facilities, or equipment, and involves negligible or no expansion of an existing use; B. Approve and authorize the City Administrator to execute Change Order No. 16 to the Amended and Restated Services Agreement with Siemens Energy, Inc., (Siemens Energy) in substantially the same form as submitted, to revise the Payment Schedule and amend the termination date of the agreement; and C. Approve the issuance of a blanket Purchase Contract in an amount not-to-exceed \$450,000 for maintenance services with Siemens Energy for the remainder of fiscal year 2021-2022. The question was called and the motion carried unanimously.

17. City Council Appointments to Outside Agencies

Recommendation: Appoint a delegate and alternate to represent the City at the Southern California Association of Government 2022 Regional Conference and General Assembly.

City Clerk Pope presented the staff report.

No appointments were made and the item tabled.

18. Labor and Materials Contract with Petrelli Electric, Inc. to Provide High Voltage Electric System Service, Maintenance and Utility Support

Recommendation: A. Approve and authorize the City Administrator to execute a Labor and Materials Contract with Petrelli Electric, Inc. (Petrelli Electric), in substantially the same form as submitted, for a five-year term effective July 18, 2022, with an option to extend for an additional five years after the expiration of the initial term, to provide high voltage electric system service, maintenance, and utility support to Vernon's Electric and Fiber Optic Systems; and B. Pursuant to Sections 3.32.220(B) and 3.32.110(B)(3) of the Vernon Municipal Code (VMC), find that it is commercially unreasonable to rebid the proposed contract for high voltage electric system service, maintenance, and utility support every three years due to significant risks to the electric system reliability and responsiveness, as well as added costs to the City and contractor including a steep learning curve in potential frequent transitions in contracted services.

Public Utilities General Manager Alemu and Public Utilities Assistant General Manager Dusenbury presented the staff report.

In response to Council questions Public Utilities Assistant General Manager Dusenbury explained Petrelli Electric, Inc. tenure and experience and the competitive bid process conducted in 2012.

MOTION

Mayor Pro Tem Davis moved and Council Member Lopez seconded a motion to:
A. Approve and authorize the City Administrator to execute a Labor and Materials

Contract with Petrelli Electric, Inc. (Petrelli Electric), in substantially the same form as submitted, for a five-year term effective July 18, 2022, with an option to extend for an additional five years after the expiration of the initial term, to provide high voltage electric system service, maintenance, and utility support to Vernon's Electric and Fiber Optic Systems; and B. Pursuant to Sections 3.32.220(B) and 3.32.110(B)(3) of the Vernon Municipal Code (VMC), find that it is commercially unreasonable to rebid the proposed contract for high voltage electric system service, maintenance, and utility support every three years due to significant risks to the electric system reliability and responsiveness, as well as added costs to the City and contractor including a steep learning curve in potential frequent transitions in contracted services. The question was called and the motion carried unanimously.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements.

City Administrator Fandino announced the Gas Rate Adjustments Community Meeting and Urban Tree Summit on March 16th, and the City's Spring event on March 24, 2022.

City Council Reports on Activities (including AB 1234), Announcements, or Directives to Staff.

None.

RECESS

Mayor Ybarra recessed the meeting to Closed Session at 10:05 a.m.

CLOSED SESSION

19. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957(b)(1)

Title: City Administrator

20. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of Litigation

Government Code Section 54956.9(d)(4)

Number of potential cases: 1

RECONVENE

At 12:30 p.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 12:31 p.m.

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Melissa Ybarra
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MELISSA YBARRA, Mayor

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