

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 19, 2022
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

Mayor Ybarra called the meeting to order at 9:03 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 (via remote access)
Judith Merlo, Council Member

STAFF PRESENT:

Carlos Fandino, City Administrator
Angela Kimmey, Deputy City Administrator
Zaynah Moussa, Interim City Attorney (via remote access)
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
Todd Dusenberry, Assistant Public Utilities General Manager
Manuel Garcia, Deputy Director of Public Works

APPROVAL OF THE AGENDA

MOTION

Council Member Merlo 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. Results of the City of Vernon April 12, 2022 General Municipal Election**
Recommendation: Adopt Resolution No. 2022-09 reciting the facts of the General Municipal Election held on April 12, 2022, declaring the results and such other matters as provided by law.

City Clerk Pope presented the staff report.

MOTION

Mayor Pro Tem Davis moved and Council Member Lopez seconded a motion to adopt Resolution No. 2022-09 reciting the facts of the General Municipal Election held on April 12, 2022, declaring the results and such other matters as provided by law. The question was called and the motion carried unanimously.

City Clerk Pope administered the oath of office to Melissa Ybarra.

Council Member Ybarra thanked the community and her family for supporting her reelection.

The City Council reorganized with Leticia Lopez as Mayor and Crystal Larios as Mayor Pro Tem.

- 2. Employee Service Pin Awards for March 2022**
Recommendation: No action required by City Council. This is a presentation only.

Human Resources Director Earl acknowledged Charles B. Montoya, Metering Technician, Senior; Luis T. Vasquez, Police Officer; Jorrie V. Estrada, Senior Electrical Test Technician; Todd W. Dusenberry, Assistant General Manager of Public Utilities; and Jeff A. Fraga, Gas Systems Technician as the Employee Service Pin Awards recipients for March 2022.

- 3. Proclamation Recognizing Retiring Employee - Charles B. Montoya**
Recommendation: Acknowledge and present a proclamation to retiring employee Charles B. Montoya, Metering Technician, Senior in recognition of his dedicated service to the City of Vernon.

Human Resources Director Earl acknowledged Charles B. Montoya on his retirement.

- 4. DMV/Donate Life California Month**
Recommendation: Present a proclamation acknowledging the month of April 2022 as "DMV/Donate Life California Month".

City Clerk Pope read the proclamation and Council Member Ybarra presented the proclamation acknowledging the month of April 2022 as "DMV/Donate Life California Month" to Johnny Lemucchi, OneLegacy Ambassador.

Mr. Lemucchi, OneLegacy Ambassador, thanked the Council for its recognition and discussed his experience with organ donation.

5. Fiscal Year 2022-2023 Budget Workshop

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

Finance Director Williams presented the staff report.

In response to Council questions, City Administrator Fandino, Finance Director Williams and Deputy Director of Public Works Garcia discussed deferred street maintenance and potential grant funds; and the City's sunseting taxes.

Susie Ybarra asked if the taxes would go back to the voters for renewal and discussed the need for additional public safety resources.

Chief Sousa discussed Police Department staffing.

Mayor Lopez left the meeting at 10:02 a.m.

CONSENT CALENDAR

Council Member Ybarra requested Item No. 19 be removed for discussion.

MOTION

Council Member Ybarra moved and Council Member Merlo seconded a motion to approve the Consent Calendar, with the exception of Item No. 19. The question was called and the motion carried 4-0, Mayor Lopez absent.

The Consent Calendar consisted of the following items:

6. Approval of Minutes

Recommendation: Approve the April 5, 2022 Regular City Council meeting minutes.

7. Claims Against the City

Recommendation: Receive and file the claim submitted by Dustin Thomas Phillips in the amount of \$18,000.

8. Amendment to Vernon Municipal Code Section 3.32.250 Emergency Purchases

Recommendation: Conduct second reading and adopt Ordinance No. 1279 amending Section 3.32.250 of Title 3 Revenue and Finance of the Vernon Municipal Code regarding emergency purchases.

9. City Payroll Warrant Register

Recommendation: Approve City Payroll Warrant Register No. 790, for the period of March 1 through March 31, 2022, totaling \$2,614,799.17 and consisting of ratification of direct deposits, checks and taxes totaling \$1,704,566.00 and ratification of checks and electronic fund transfers (EFT) for payroll related disbursements totaling \$910,233.17 paid through operating bank account.

10. Operating Account Warrant Register

Recommendation: Approve Operating Account Warrant Register No. 85, for the period of March 20 through April 2, 2022, totaling \$6,280,983.97 and consisting of ratification of electronic payments totaling \$4,559,693.50 and ratification of the issuance of early checks totaling \$1,721,290.47.

11. Fire Department Activity Report

Recommendation: Receive and file the February 2022 Fire Department Activity Report.

12. Police Department Activity Report

Recommendation: Receive and file the February 2022 Police Department Activity Report.

13. Agreement for Assignment of Non-Consumptive Water Use Permit with the Water Replenishment District of Southern California

Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review because it is an administrative 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. Approve and authorize the City Administrator to execute the Agreement for Assignment of Non-Consumptive Water Use Permit with the Water Replenishment District of Southern California, in substantially the same form as submitted.

14. Proposed Military Equipment Use Policy

Recommendation: Receive and file the draft Vernon Police Department Military Equipment Policy and direct staff to schedule a public hearing for the June 7, 2022 Regular City Council meeting to consider the proposed policy.

15. Police Department Vehicle Purchase

Recommendation: Approve and authorize the issuance of a purchase order to National Auto Fleet Group for a 2022 Ford Ranger through the Sourcewell Master Vehicle Contract (091521-NAF) for approximately \$39,000 to replace one patrol vehicle in the Police Department Fleet.

16. Sale of Surplus Vernon Public Utilities Vehicle to Petrelli Electric, Inc.

Recommendation: Approve and authorize the City Administrator to execute the Purchase and Sale Agreement with Petrelli Electric, Inc. (Petrelli Electric), in substantially the same form as submitted, for the sale of one (1) Ford E450 Super Duty Van.

17. Change Order No. 1 to Contract No. CS-1349 with EBS General Engineering Inc., and Notice of Completion for Americans with Disabilities Act (ADA) Improvements at the Intersection of Pacific Boulevard / Vernon Avenue and Santa Fe Avenue

Recommendation: A. Find that the proposed action is categorically exempt under the California Environmentally Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301 (Existing Facilities), part (c) (existing highways, streets and sidewalks), because the project consists of the maintenance, repair, or minor alteration of existing streets for ADA improvements and involves no expansion of an existing use; B. Approve and Authorize the City Administrator to execute Change Order No.1 in the amount of \$18,329.15 for unexpected changed conditions in the ADA Improvements at the Intersection of Pacific Blvd. / Vernon

Ave. and Santa Fe Ave. Project (CS-1349); C. Accept the work of EBS General Engineering Inc. as related to City Contract No. CS-1349; and D. Authorize the Director of Public Works to execute and submit the Notice of Completion for the project to the Los Angeles County Recorder's Office.

18. Blanket Purchase Contract with Cormetech, Inc.

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 maintenance, repair or minor alteration of an existing facility and involves negligible or no expansion of an existing use; and B. Authorize issuance of a blanket Purchase Contract in an amount not-to-exceed \$200,000 with Cormetech, Inc., for labor and materials to replace the Selective Catalytic Reduction (SCR) catalyst needed at the Malburg Generating Station (MGS) during the MGS Spring 2022 Outage.

The following item was pulled from the Consent Calendar for individual consideration:

19. rPlanet Earth Los Angeles, LLC Request to Consider Items Regarding Electrical Consumption Hurdles

Recommendation: A. Approve and authorize the City Administrator to grant the request from rPlanet Earth Los Angeles, LLC (Customer) to consider that the January 2022 Consumption Hurdle target has been achieved; and B. Approve and authorize the City Administrator to grant the request from rPlanet Earth Los Angeles, LLC (Customer) to waive the third hurdle target of 8 megawatts (MW) and to release the final deposit of \$416,667 once the third electrical consumption hurdle of 8MW is met.

City Administrator Fandino and Public Utilities General Manager Alemu explained the hurdle targets.

MOTION

Council Member Ybarra moved and Council Member Davis seconded a motion to: A. Approve and authorize the City Administrator to grant the request from rPlanet Earth Los Angeles, LLC (Customer) to consider that the January 2022 Consumption Hurdle target has been achieved; and B. Approve and authorize the City Administrator to grant the request from rPlanet Earth Los Angeles, LLC (Customer) to waive the third hurdle target of 8 megawatts (MW) and to release the final deposit of \$416,667 once the third electrical consumption hurdle of 8MW is met. The question was called and the motion carried 4-0, Mayor Lopez absent.

NEW BUSINESS

20. Updated Official Statement for City of Vernon Electric System Revenue Bonds, 2022 Series A

Recommendation: Adopt Resolution No. 2022-10 authorizing and approving an updated Official Statement for certain Electric System Revenue Bonds; and authorizing certain other matters relating thereto.

Finance Director Williams presented the staff report.

MOTION

Council Member Ybarra moved and Council Member Davis seconded a motion to adopt Resolution No. 2022-10 authorizing and approving an updated Official Statement for certain Electric System Revenue Bonds; and authorizing certain other matters relating thereto. The question was called and the motion carried 4-0, Mayor Lopez absent.

21. Single-Use Foodware Accessories and Standard Condiments

Recommendation: A. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment; and CEQA Guidelines Section 15308, because the new regulations, which strengthen requirements for the handling of solid waste, represent actions by a regulatory agency for the protection of the environment; B. Waive full reading and introduce and conduct first reading of Ordinance No. 1280 adding Chapter 8.15 to Title 8 Health and Safety to the Vernon Municipal Code regulating single-use foodware accessories and standard condiments; and C. Direct staff to schedule second reading and adoption for the May 3, 2022 City Council meeting.

Health and Environmental Control Director Agyin presented the staff report

In response to Council questions, Health and Environmental Control Director Agyin discussed fines and education.

MOTION

Council Member Merlo moved and Council Member Ybarra seconded a motion to: A. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA), in accordance with CEQA Guidelines Section 15061(b)(3), the general rule that CEQA only applies to projects that may have a significant effect on the environment; and CEQA Guidelines Section 15308, because the new regulations, which strengthen requirements for the handling of solid waste, represent actions by a regulatory agency for the protection of the environment; B. Waive full reading and introduce and conduct first reading of Ordinance No. 1280 adding Chapter 8.15 to Title 8 Health and Safety to the Vernon Municipal Code regulating single-use foodware accessories and standard condiments; and C. Direct staff to schedule second reading and adoption for the May 3, 2022 City Council meeting. The question was called and the motion carried 4-0, Mayor Lopez absent.

22. Purchase Contract with Performance Contracting, Inc. (PCI)

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 maintenance, repair or minor alteration of an existing facility and involves negligible or no expansion of an existing use; B. Find that the best interests of the City are served by a direct award of a purchase contract to Performance Contracting, Inc. (PCI), without a

competitive selection process pursuant to Section 3.32.110(B)(2) of the Vernon Municipal Code (VMC); C. Approve the issuance of a Purchase Contract in an amount not-to-exceed \$313,836 with PCI for scaffolding and insulation services needed at the Malburg Generation Station (MGS) during the Malburg Spring 2022 Outage (Spring Outage); and D. Authorize the City Administrator to execute Attachment A – Amendment to Purchase Order/Contract (Services) between the City of Vernon and PCI and related proposal for scaffolding and insulation services, as incorporated in the Amendment, in substantially the same form as submitted.

Public Utilities General Manager Alemu presented the staff report.

MOTION

Council Member Ybarra moved and Council Member Davis 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 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; B. Find that the best interests of the City are served by a direct award of a purchase contract to Performance Contracting, Inc. (PCI), without a competitive selection process pursuant to Section 3.32.110(B)(2) of the Vernon Municipal Code (VMC); C. Approve the issuance of a Purchase Contract in an amount not-to-exceed \$313,836 with PCI for scaffolding and insulation services needed at the Malburg Generation Station (MGS) during the Malburg Spring 2022 Outage (Spring Outage); and D. Authorize the City Administrator to execute Attachment A – Amendment to Purchase Order/Contract (Services) between the City of Vernon and PCI and related proposal for scaffolding and insulation services, as incorporated in the Amendment, in substantially the same form as submitted. The question was called and the motion carried 4-0, Mayor Lopez absent.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements.

City Administrator Fandino provided an update on odor concerns attributed to rendering facilities; Dodgers Dreamfield Unveiling on April 30, at 10 a.m.; Autism Awareness and Acceptance month; and announced Vernon Clean Up Day on May 7 and Vernon Business Breakfast on May 11, 2022.

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

Council Member Ybarra congratulated the Vernon Police Department, San Gabriel Police Department and Pasadena City College on winning the Baker to Vegas Run.

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ADJOURNMENT

Mayor Pro Tem Larios adjourned the meeting at 10:35 a.m.

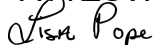
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LETICIA LOPEZ, Mayor

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LISA POPE, City Clerk
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