

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 3, 2022
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

Mayor Lopez called the meeting to order at 9:00 a.m.

FLAG SALUTE

Mayor Lopez led the Flag Salute.

ROLL CALL

PRESENT:

Leticia Lopez, Mayor
Crystal Larios Mayor Pro Tem
William Davis, Council Member
Judith Merlo, Council Member
Melissa Ybarra, 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
Nicolas Perez, Police Department Lieutenant
Abraham Alemu, Public Utilities General Manager
Todd Dusenberry, Public Utilities Assistant General Manager
Dan Wall, Public Works Director

APPROVAL OF THE AGENDA

MOTION

Council Member Ybarra moved and Council Member Davis seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

PUBLIC COMMENT

None.

PRESENTATIONS

1. Fiscal Year 2022-2023 Budget Workshop II

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

City Administrator Fandino, Finance Director Williams, Public Utilities Assistant General Manager Dusenberry, and Public Works Director Wall presented the staff report.

In response to Council questions, Finance Director Williams explained the proposed City Council budget.

PUBLIC HEARINGS

2. Truck to Rail Transfer Facilities within the City of Vernon

Recommendation: A. Find that the proposed action is exempt under the California Environmental Quality Act (CEQA) review, because it is general policy and procedure-making activity that is unrelated to any specific project, which must undergo separate CEQA review, and that will not result in direct physical changes or reasonably foreseeable indirect physical changes in the environment, and therefore does not constitute a "project" as defined by CEQA Guidelines Section 15378; and B. Introduce and conduct first reading of Ordinance No. 1281 amending, adding and renumbering various sections within Chapter 17 of the Vernon Municipal Code (VMC) to allow and regulate Truck to Rail Transfer Facilities within the City of Vernon.

Public Works Director Wall presented the staff report.

In response to Council questions, Public Works Director Wall and Interim City Attorney Moussa explained transportation of soil; contamination levels; and environmental impact review of specific projects.

Mayor Lopez opened the public hearing. There being no speakers, Mayor Lopez closed the public hearing.

MOTION

Council Member Ybarra moved and Mayor Lopez seconded a motion to continue the hearing to June 7, 2022 and direct staff to bring back Ordinance No. 1281 amending, adding and renumbering various sections within Chapter 17 of the Vernon Municipal Code (VMC) to allow and regulate Truck to Rail Transfer Facilities within the City of Vernon revised to include consideration of proximity to schools and residential outside the Housing Overlay and in neighboring cities; and any potential environmental issues. The question was called and the motion carried unanimously.

3. Proposed Changes in Gas Utility Rates

Recommendation: Adopt Resolution No. 2022-11 amending Natural Gas Rate Schedule Nos. G-1 (Residential Gas Service), G-2 (Small Commercial Gas Service), G-3 (Large Commercial Gas Transportation), and G-4 (Large Commercial Gas Commodity) for gas distributed and supplied by the City within its boundaries.

Public Utilities Assistant General Manager Dusenberry and Tony Georgis, NewGen Strategies and Solutions, Inc., presented the staff report.

In response to Council questions, Public Utilities Assistant General Manager Dusenberry explained the growing gas system and limitation on the City to recover costs unlike a for-profit investor-owned utility such as SoCal Gas.

Mayor Lopez opened the public hearing. There being no speakers, Mayor Lopez closed the public hearing.

MOTION

Council Member Ybarra moved and Mayor Pro Tem Larios seconded a motion to adopt Resolution No. 2022-11 amending Natural Gas Rate Schedule Nos. G-1 (Residential Gas Service), G-2 (Small Commercial Gas Service), G-3 (Large Commercial Gas Transportation), and G-4 (Large Commercial Gas Commodity) for gas distributed and supplied by the City within its boundaries. The question was called and the motion carried unanimously.

4. Request for Zoning Code Variance for 4701 S. Santa Fe Avenue

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, and to the extent the property owner seeks to engage in actual physical construction or development, such would be subject to independent CEQA review and analysis; and B. Adopt Resolution No. 2022-12 granting the zoning code variance requested for the development of a data center at 4701 S. Santa Fe Avenue.

Public Works Director Wall presented the staff report.

In response to Council questions, Public Works Director Wall explained the request for reduced parking.

Mayor Lopez opened the public hearing. There being no speakers, Mayor Lopez closed the public hearing.

MOTION

Council Member Ybarra moved and Mayor Lopez 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 to the extent the property owner seeks to engage in actual physical construction or development, such would be subject to independent CEQA review and analysis; and B. Adopt Resolution No. 2022-12 granting the zoning code variance requested for the development of a data center at 4701 S. Santa Fe Avenue. The question was called and the motion carried unanimously.

CONSENT CALENDAR

MOTION

Council Member Ybarra moved and Mayor Pro Tem Larios 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 April 19, 2022 Regular City Council meeting minutes.
6. **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.
7. **Single-Use Foodware Accessories and Standard Condiments**
Recommendation: Conduct second reading and adopt 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.
8. **Operating Account Warrant Register**
Recommendation: Approve Operating Account Warrant Register No. 86, for the period of April 3 through April 16, 2022, totaling \$5,807,716.81 and consisting of ratification of electronic payments totaling \$5,604,643.38 and ratification of the issuance of early checks totaling \$203,073.43.
9. **Redevelopment Agency Obligation Retirement Account Warrant Register**
Recommendation: Approve Redevelopment Agency Obligation Retirement Account Warrant Register No. 64, for the period of January 16 through April 16, 2022 and consisting of ratification of electronic payments totaling \$2,332.00.
10. **Public Works Department Monthly Report**
Recommendation: Receive and file the March 2022 Building Report.
11. **Acceptance of Work and Notice of Completion for Contract CS-1301 - Citywide Striping and Pavement Markings Fiscal Year (FY) 2021-2022**
Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, as it is a governmental administrative activity that will not directly result in physical changes to the environment and is therefore not a "project" as defined by CEQA Guidelines Section 15378; B. Accept the work of J&S Striping Co, Inc. for City Contract No. CS-1301 – Citywide Striping and Pavement Markings FY 2021-2022; and C.

Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder's Office.

12. Quarterly Report of Cash and Investments

Recommendation: Receive and file the Cash and Investments Report for the quarter ended March 31, 2022.

13. Report on Legislative and Regulatory Advocacy Services Contract Approved by the City Administrator

Recommendation: Receive and file the report.

14. Amendment to the Laguna Bell-Vernon Interconnection Service Agreement with Southern California Edison Company (SCE)

Recommendation: Ratify the execution of an Amendment to the Laguna Bell-Vernon Interconnection Service Agreement between the City of Vernon and Southern California Edison Company, in substantially the same form as submitted, to reflect the repowered capacity of the Malburg Generating Station (MGS).

ORAL REPORTS

City Administrator Reports on Activities and other Announcements.

City Administrator Fandino discussed the successful Dodgers Dreamfield unveiling; and recent Fire and Police Department events. He announced the new Los Angeles Unified School District Superintendent's 100-Day plan meeting on May 5; Vernon Clean Up Day on May 7, from 8 a.m. to 10 a.m.; Vernon Business Breakfast on May 11; Vernon's Business and Industry Meeting on May 12; and Vernon's Electronic and Universal Waste Recycling Event on May 12, 2022.

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

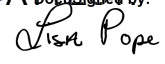
None.

ADJOURNMENT

Mayor Lopez adjourned the meeting at 10:29 a.m.

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LETICIA LOPEZ, Mayor

ATTEST
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LISA POPE, City Clerk
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