

**MINUTES
VERNON CITY COUNCIL
REGULAR MEETING
TUESDAY, MAY 17, 2022
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

CALL TO ORDER

Mayor Lopez called the meeting to order at 9:02 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
Melissa Ybarra, Council Member

ABSENT:

Judith Merlo, Council Member (absent)

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
Roberto Sousa, Police Chief
Abraham Alemu, Public Utilities General Manager
Todd Dusenberry, Public Utilities Assistant General Manager
Dan Wall, Public Works Director

APPROVAL OF THE AGENDA

City Clerk Pope requested Item No. 17 be tabled and removed from the agenda.

MOTION

Mayor Pro Tem Larios moved and Council Member Ybarra seconded a motion to approve the agenda, with Item No. 17 tabled. The question was called and the motion carried 4-0, Council Member Merlo absent.

PUBLIC COMMENT

None.

PRESENTATIONS

1. Employee Service Pin Awards for April 2022

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

Human Resources Director Earl acknowledged Richard Villegas, Police Officer; Fernando A. Valenzuela, Police Officer; and Eliseo Genera III, Civilian Court Officer as the Employee Service Pin Award recipients for April 2022.

2. Fiscal Year 2022-2023 Proposed Budget Workshop III

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

City Administrator Fandino and Finance Director Williams presented the report.

CONSENT CALENDAR

Mayor Lopez pulled Item No. 13 to continue to the next meeting.

MOTION

Mayor Pro Tem Larios moved and Council Member Davis seconded a motion to approve the Consent Calendar, with the exception of Item No. 13. The question was called and the motion carried 4-0, Council Member Merlo absent.

The Consent Calendar consisted of the following items:

3. Approval of Minutes

Recommendation: Approve the May 3, 2022 Regular City Council meeting minutes.

4. City Payroll Warrant Register

Recommendation: Approve City Payroll Warrant Register No. 791, for the period of April 1 through April 30, 2022, totaling \$2,617,881.01 and consisting of ratification of direct deposits, checks and taxes totaling \$1,702,557.64 and ratification of checks and electronic fund transfers (EFT) for payroll related disbursements totaling \$915,323.37 paid through operating bank account.

5. Operating Account Warrant Register

Recommendation:

Approve Operating Account Warrant Register No. 87, for the period of April 17 through April 30, 2022, totaling \$15,324,464.99 and consisting of ratification of electronic payments totaling \$15,001,664.33 and ratification of the issuance of early checks totaling \$322,800.66.

6. Fire Department Activity Report

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

7. **Police Department Activity Report**
Recommendation: Receive and file the March 2022 Police Activity Report.
8. **Acceptance of Work and Notice of Completion for Contract CS-1373 Sealcoat and Restriping of City Hall Parking Structure Lower-Level**
Recommendation: A. Find that 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 ABC Resources, Inc. as related to City Contract No. CS-1373 – Sealcoat and Restriping of City Hall Parking Structure Lower-Level; and C. Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder's Office.
9. **Acceptance of Work and Notice of Completion for Contract CS-1267 Alameda Street Repairs at Union Railroad Crossing.**
Recommendation: A. Find that 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 Onyx Paving Company Inc. Inc. as related to City Contract No. CS-1267 – Alameda Street Repairs at Union Railroad Crossing; and C. Authorize staff to submit the Notice of Completion for the project to the County of Los Angeles Recorder's Office.
10. **Amendment No. 3 to the Services Agreement with Southeast Area Animal Control Authority (SEAACA)**
Recommendation: Approve and authorize the Mayor to execute Amendment No. 3 to the Services Agreement with SEAACA for animal control services to update the schedule of fees effective July 1, 2022.
11. **Green Vernon Commission Work Plan and Budget for Fiscal Year (FY) 2022-2023**
Recommendation: Approve the proposed Green Vernon Commission Work Plan and request for budget authorization for FY 2022-2023.
12. **Attorney Services Agreement with Burke, Williams & Sorensen, LLP**
Recommendation: Approve and authorize the City Administrator to enter into an Attorney Services Agreement with Burke, Williams & Sorensen, LLP, in substantially the same form as submitted, for a term of three years and an amount not to exceed \$150,000 for general litigation and municipal advisory services.
14. **Attorney Services Agreement (Transactional) with Stradling Yocca Carlson & Rauth for Specialized Legal Services**
Recommendation: Approve and authorize the City Administrator to execute an Attorney Services Agreement with Stradling Yocca Carlson & Rauth (Stradling), in substantially the same form as submitted, for specialized legal services in connection with the development and implementation of the first modernized data center within the City, for a total amount not to exceed \$50,000, for a one-year term effective May 17, 2022.

15. Emergency Purchases Secured by the City Administrator

Recommendation: Receive and file report on emergency purchases secured by the City Administrator as it is provided for informational purposes only, pursuant to Section 3.32.250 of the Vernon Municipal Code (VMC).

16. Purchase Contract with Ocean Blue Environmental Services, Inc. (Ocean Blue) for As-Needed Environmental Clean-Up Services

Recommendation: A. Find that the proposed action is exempt from California Environmental Quality Act (CEQA) review, in accordance with CEQA Guidelines Section 15308, because the action is being carried out by a regulatory agency to maintain, restore, or enhance the environment, where the regulatory process includes procedures to protect the environment; and B. Authorize the issuance of a Purchase Contract with Ocean Blue for an amount not-to-exceed \$50,000 for as-needed environmental emergency clean-up services.

The following item was tabled:

13. Attorney Services Agreement (Transactional) with Stradling Yocca Carlson & Rauth for Specialized Legal Services

Recommendation: Approve and authorize the City Administrator to execute an Attorney Services Agreement with Stradling Yocca Carlson & Rauth (Stradling), in substantially the same form as submitted, for specialized legal services in connection with the development and implementation of the first modernized data center within the City, for a total amount not to exceed \$50,000, for a one-year term effective May 17, 2022.

NEW BUSINESS**16. City Council Appointments to Outside Agencies**

Recommendation: Affirm or modify appointments of representatives and/or alternates to various outside agencies.

City Clerk Pope presented the staff report.

MOTION

Mayor Pro Tem Larios moved and Council Member Ybarra seconded a motion to: affirm current appointments of representatives and/or alternates to various outside agencies and appoint the following:

- California Contract Cities Association – Council Member Ybarra, Delegate and Mayor Lopez Alternate
- Gateway Cities Council of Governments - Council Member Ybarra, Delegate and Mayor Lopez, Alternate
- Independent Cities Association - Council Member Ybarra, Delegate

The question was called and the motion carried 4-0, Council Member Merlo absent.

17. Declaration of Surplus Land

Recommendation: A. Find that approval of the proposed action is exempt from California Environmental Quality Act (CEQA) review, because the designation of the property as surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review it is not a "project" as defined by the CEQA Guidelines Section 15378. Adoption of the Resolutions does not have the potential for resulting in either a direct physical change in the environment of a reasonably foreseeable indirect physical change in the environment. If and when either property is sold to a purchaser and the purchaser proposes a use for the property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA; B. Adopt Resolution No. 2022-13 declaring pursuant to Government Code Section 54221 that real property owned by the City of Vernon located in an unincorporated area of Kern County, is surplus land and not necessary for the City's use, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and taking related actions; and C. Adopt Resolution No. 2022-14 declaring pursuant to Government Code Section 54221 that real property owned by the City of Vernon located at 2221 East 55th Street, Vernon, California, identified as assessor's parcel number 6308-016-900, is surplus land and not necessary for the City's use, finding that such declaration is exempt from environmental review under the California Environmental Quality Act, and taking related actions.

This item was tabled upon approval of the agenda.

18. Professional Services Agreement with Bell Burnett & Associates (BB&A) for Specialized Advisory Services

Recommendation: A. Find that the proposed Services Agreement with BB&A is exempt from competitive selection pursuant to Vernon Municipal Code (VMC) Section 3.32.110 as the best interests of the City are served by a direct award of the contract without a competitive selection process; and B. Approve and authorize the City Administrator to execute a Professional Services Agreement with BB&A, in substantially the same form as submitted, to provide specialized advisory services in connection with the development and implementation of the first modernized data center located within the City, in an amount not to exceed \$315,000, for a term of nine (9) months.

Public Utilities Assistant General Manager Dusenberry presented the staff report.

MOTION

Council Member Ybarra moved and Council Member Davis seconded a motion to: A. Find that the proposed Services Agreement with BB&A is exempt from competitive selection pursuant to Vernon Municipal Code (VMC) Section 3.32.110 as the best interests of the City are served by a direct award of the contract without a competitive selection process; and B. Approve and authorize the City Administrator to execute a Professional Services Agreement with BB&A, in substantially the same form as submitted, to provide specialized advisory services

in connection with the development and implementation of the first modernized data center located within the City, in an amount not to exceed \$315,000, for a term of nine (9) months. The question was called and the motion 4-0, Council Member Merlo absent.

ORAL REPORTS

City Administrator Reports on Activities and other Announcements.

City Administrator Fandino discussed the South Coast Air Quality Management District monitoring of Sterigenics' facilities in Vernon; and his and Deputy City Administrator attendance at the recent Contract Cities Association Annual Seminar. He reminded the Council of the Westside Specific Plan EIR Comment Period ending on May 20, and announced upcoming events including Vernon CommUNITY Fund Grant Committee Meeting on May 18, at 10 a.m., Vernon's 2022 Graduation & Summer Kick-off on June 9, and Vernon's Job Fair on June 23, 2022.

City Clerk Pope reminded the Council and community of the opportunity to apply for the City's Commissions and Committees.

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

None.

RECESS

Mayor Lopez recessed the meeting to Closed Session at 9:32 a.m.

CLOSED SESSION

19. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency Designated Representative: Carlos Fandino, City Administrator

Employee Organizations:

Teamsters Local 911,

IBEW Local 47,

Vernon Police Management Association, and

Vernon Police Officers' Benefit Association

20. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (4)

Government Code Section 54956.9(d)(1)

City of Vernon vs. Keith Whitworth, et al.

Los Angeles Superior Court Case No. 22NWUD00364

City of Vernon v. All Persons Interested, et al. [Pension Obligation Bonds]
Los Angeles Superior Court Case No. 22NWCP00091

Jerry Chavez v. City of Vernon
Los Angeles Superior Court Case No. BC719460

Jerry Chavez v. City of Vernon
Workers Compensation Appeals Board Case Nos. ADJ9399030,
ADJ7318651, ADJ8209963, ADJ11306961, ADJ12149354, ADJ14872597,
and ADJ15306780

RECONVENE

At 10:33 a.m., Mayor Lopez adjourned Closed Session and reconvened the regular meeting.

Mayor Pro Tem Larios left the 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 (Continued):

13. Attorney Services Agreement (Transactional) with Stradling Yocca Carlson & Rauth for Specialized Legal Services

Recommendation: Approve and authorize the City Administrator to execute an Attorney Services Agreement with Stradling Yocca Carlson & Rauth (Stradling), in substantially the same form as submitted, for specialized legal services in connection with the development and implementation of the first modernized data center within the City, for a total amount not to exceed \$50,000, for a one-year term effective May 17, 2022.

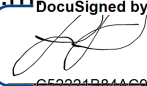
MOTION

Council Member Ybarra moved and Council Member Davis seconded a motion to approve and authorize the City Administrator to execute an Attorney Services Agreement with Stradling Yocca Carlson & Rauth (Stradling), in substantially the same form as submitted, for specialized legal services in connection with the development and implementation of the first modernized data center within the City, for a total amount not to exceed \$50,000, for a one-year term effective May 17, 2022. The question was called and the motion carried 3-0, Mayor Pro Tem Larios and Council Member Merlo absent.

Regular City Council Meeting Minutes
May 17, 2022

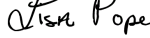
ADJOURNMENT

Mayor Lopez adjourned the meeting at 10:34 a.m.

DocuSigned by:


LETICIA LOPEZ, Mayor

DocuSigned by:
ATTEST:



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LISA POPE, City Clerk
(seal)