

**MINUTES  
VERNON CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 2, 2022  
COUNCIL CHAMBER, 4305 SANTA FE AVENUE**

**CALL TO ORDER**

Mayor Lopez called the meeting to order at 9:03 a.m.

**FLAG SALUTE**

Mayor Lopez led the Flag Salute.

**ROLL CALL**

**PRESENT:**

Leticia Lopez, Mayor (via remote access)  
Crystal Larios, Mayor Pro Tem  
William Davis, Council Member  
Judith Merlo, Council Member  
Melissa Ybarra, Council Member

**STAFF PRESENT:**

Carlos Fandino, City Administrator (via remote access)  
Angela Kimmey, Deputy City Administrator  
Zaynah Moussa, 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  
Dan Wall, Public Works Director  
Todd Dusenberry, Acting Public Utilities General Manager

**APPROVAL OF THE AGENDA**

**MOTION**

Council Member Ybarra moved and Mayor Pro Tem Larios seconded a motion to approve the agenda. The question was called and the motion carried unanimously.

**PUBLIC COMMENT**

None.

## **PRESENTATIONS**

### **1. City Administrator Report**

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

Deputy City Administrator Kimmey presented the report.

## **PUBLIC HEARINGS**

### **2. Urgency Ordinance No. 1286 Extending Interim Urgency Ordinance No. 1283 - Warehouse Moratorium**

Public Works Director Wall presented the staff report.

In response to Council questions, Public Works Director Wall discussed the length of the moratorium and impact on development with 25% increases.

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

## **MOTION**

Council Member Ybarra moved and Council Member Merlo seconded a motion to: A. Find that the proposed action is exempt from 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. Adopt Urgency Ordinance No. 1286, pursuant to Government Code Section 65858, extending a moratorium on the establishment, expansion, or modification of warehouse uses, freight terminals, truck terminals, container storage, and container parking within the City of Vernon for an additional ten months and fifteen (15) days, or until City Council's adoption of an ordinance addressing the moratorium issues, whichever occurs first. The question was called and the motion carried unanimously.

### **3. Ordinance No. 1287 Amending Title 17 of the Vernon Municipal Code pertaining to Warehouse Uses**

Public Works Director Wall presented the staff report.

In response to Council questions, Public Works Director Wall discussed the timeline of the development agreement approval process by the Council.

Mayor Lopez opened the public hearing.

Steve Freed, warehouse building owner, requested additional language grandfathering existing warehouses uses over 150,000 square feet, until such a time as 25,000 square feet or more was added.

Gary Guesman suggested the time for development agreement approval would be greater than three weeks and urged caution in the details of such agreements so projects were not extended for months or years.

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

In response to Council questions, City Attorney provided suggested exemption language.

### **MOTION**

Council Member Ybarra moved and Council Member Merlo seconded a motion to: A. Find that the proposed action is exempt from 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; B. Introduce and conduct first reading of Ordinance No. 1287 amending Chapters 17.16.020 and 17.24.020 and adding Chapter 17.24.035 to Title 17 (Zoning) of the Vernon Municipal Code relating to warehouse uses, as amended; and C. Direct staff to schedule second reading and adoption for the August 16, 2022 City Council Meeting.

### **RECESS**

Mayor Lopez called a recess at 9:43 a.m. The meeting reconvened at 9:47 a.m. with all Council Members present.

Staff provided proposed exemption language.

Mayor Lopez reopened the public hearing.

Mr. Freed suggested the language be included in the permitted uses section.

Council Member Ybarra rescinded the motion.

Heather Crossner, Bridge Industrial, agreed with the proposed exemption language.

The Council tabled the item to the end of the meeting.

**CONSENT CALENDAR****MOTION**

Council Member Ybarra moved and Council Member Merlo 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:

**4. Approval of Minutes**

Recommendation: Approve the July 19, 2022 Regular City Council meeting minutes.

**5. Claims Against the City**

Recommendation: Receive and file claims submitted by Jeffrey Levin in the amount of \$2,106.28; and Elia Ramirez in the amount of \$322.92.

**6. Franchise Towing Fee Agreements**

Recommendation: A. Conduct second reading and adopt Ordinance No. 1284 granting to Mr. C's Towing of South Gate, Inc., a franchise towing services agreement; and B. Conduct second reading and adopt Ordinance No. 1285 granting Towwerks, LLC. (dba Viertel's Central / Northeast Division), a franchise towing services agreement.

**7. 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.

**8. Operating Account Warrant Register**

Recommendation: Approve Operating Account Warrant Register No. 91, for the period of July 3 through July 16, 2022, totaling \$9,100,269.42 and consisting of ratification of electronic payments totaling \$8,941,191.72 and ratification of the issuance of early checks totaling \$159,077.70.

**9. Redevelopment Agency Obligation Retirement Account Warrant Register**

Recommendation: Approve Redevelopment Agency Obligation Retirement Account Warrant Register No. 65, for the period of April 17 through July 16, 2022 and consisting of ratification of electronic payments totaling \$8,000.00.

**10. Public Works Department Monthly Report**

Recommendation: Receive and file the June 2022 Building Report.

**11. Mutual Aid Operational Plan Agreement**

Recommendation: Approve and authorize the Chief of Police to execute a Mutual Aid Operational Plan Agreement, in substantially the same form as submitted.

**12. Supplemental to Purchase Contract LP-0728 with ABB, Inc.**

Recommendation: A. Find that the best interests of the City are served by a direct award of a Supplemental to ABB, Inc., without a competitive selection process pursuant to Section 3.32.110 B.2 of the Vernon Municipal Code (VMC); and B. Authorize a Supplemental to Purchase Contract LP-0728 with ABB, Inc. in an amount not to exceed \$9,445.81.

**13. 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 surplus 2008 Chevrolet Silverado 2500HD vehicle for the price of \$6,500.

**14. Heating, Ventilation, and Air Conditioning (HVAC) System Yearly Maintenance Contract**

Recommendation: A. Find that approval of 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 restoration or rehabilitation of deteriorated existing equipment and involves negligible or no expansion of an existing use; and B. Approve a Purchase Contract with Western Allied in the amount of \$50,000 for maintenance and inspection services for the City's HVAC system.

**15. Federal Equitable Sharing Agreement and Annual Certification Report**

Recommendation: Approve and authorize the Police Chief and City Administrator to execute the Federal Equitable Sharing Agreement and Annual Certification Report.

**16. Report on Vehicle Purchases Approved by the City Administrator**

Recommendation: Receive and file the report.

**17. National Auto Fleet Group Multiple Vehicle Purchase**

Recommendation: A. Approve the purchase of five new 2022 Ford F -150 Lighting Pro 4WD SuperCrew Work Trucks through National Auto Fleet Group, for a total cost of \$230,846.60; and B. Authorize the City Administrator to approve comparable vehicle purchases for a total not-to-exceed \$250,000 for the Public Works Department should the vehicles noted above no longer be available through the National Auto Fleet Group.

**NEW BUSINESS****18. Memorandum of Understanding by and between the City of Vernon and the International Brotherhood of Electrical Workers, Local 47**

Human Resources Director Earl presented the staff report.

**MOTION**

Mayor Pro Tem Larios moved and Council Member Ybarra seconded a motion to adopt Resolution No. 2022-30 approving the Memorandum of Understanding by and between the City of Vernon and the International Brotherhood of Electrical Workers, Local 47 (IBEW) for the period of July 1, 2022 through June 30, 2025. The question was called and the motion carried unanimously.

**19. Amendment to Classification and Compensation Plan**

Human Resources Director Earl presented the staff report.

**MOTION**

Council Member Ybarra moved and Mayor Pro Tem Larios seconded a motion to: A. Approve new job descriptions; and B. Adopt Resolution No. 2022-31 amending Exhibits A and C of the Classification and Compensation Plan adopted by Resolution No. 2022-29 adding new classifications and associated salary ranges for Payroll Analyst and Power Resources Settlement Analyst, Senior; deleting the classification of Payroll Specialist, Senior; and incorporating Cost of Living Adjustments for classifications represented by the International Brotherhood of Electrical Workers (IBEW) Local 47. The question was called and the motion carried unanimously.

**20. Construction Contract with J.D.M.L., Inc. dba Standard Industries for Pumping Plant Demolition and Site Improvements**

Acting Public Utilities 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 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 existing facilities including the demolition and removal of individual small structures, and involves negligible or no expansion of an existing use; B. Accept the bid from J.D.M.L., Inc. dba Standard Industries (Standard Industries) as the lowest responsive and responsible bidder and reject all other bids; C. Approve and authorize the City Administrator to execute a Construction Contract with Standard Industries in substantially the same form as submitted, in an amount not-to-exceed \$397,613 for Pumping Plant Demolition and Site Improvements; and D. Authorize a contingency amount of \$40,000 in the event of unforeseen changes in the project and grant authority to the City Administrator to issue Change Orders for an amount up to the contingency amount, if necessary. The question was called and the motion carried unanimously.

**21. Professional Services Agreement with Bell Burnett & Associates (BB&A) for Specialized Natural Gas Advisory Services**

Acting Public Utilities General Manager Dusenberry presented the staff report.

**MOTION**

Council Member Ybarra moved and Council Member Merlo 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 natural gas advisory services in connection with the planning and implementation of a Natural

Gas Procurement Strategy and Energy Risk Management Policy, in an amount not to exceed \$100,000. The question was called and the motion carried unanimously.

## **ORAL REPORTS**

### **City Administrator Reports on Activities and other Announcements.**

Deputy City Administrator Kimmey announced National Night Out on August 2, 2022, 5-7 p.m.

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

None.

## **RECESS**

Mayor Lopez recessed the meeting to Closed Session at 10:11 a.m.

## **CLOSED SESSION**

### **22. CONFERENCE WITH LABOR NEGOTIATORS**

Government Code Section 54957.6

Agency Designated Representative: Carlos Fandino, City Administrator

Employee Organization: Vernon Police Management Association

## **RECONVENE**

At 10:36 a.m., Mayor Lopez adjourned Closed Session and reconvened the regular meeting.

## **CLOSED SESSION REPORT**

City Attorney Moussa reported that the Council met in Closed Session, discussed the item on the agenda, and took no reportable action.

## **PUBLIC HEARINGS (Continued)**

### **3. Ordinance No. 1287 Amending Title 17 of the Vernon Municipal Code pertaining to Warehouse Uses**

City Clerk Pope and City Attorney Moussa provided the proposed redlined changes to the ordinance.

## **MOTION**

Council Member Ybarra moved and Council Member Merlo seconded a motion to:  
A. Find that the proposed action is exempt from 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; B. Introduce and conduct first reading of Ordinance No. 1287 amending Chapters 17.16.020 and 17.24.020 and adding Chapter 17.24.035 to Title 17 (Zoning) of the Vernon Municipal Code relating to warehouse uses as amended; and C. Direct staff to schedule second reading and adoption for the August 16, 2022 City Council Meeting.

Mayor Lopez reopened the public hearing.

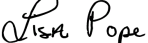
Mr. Freed agreed with the proposed language and expressed appreciation to staff for its work.

The question was called and the motion carried unanimously.

**ADJOURNMENT**

Mayor Lopez adjourned the meeting at 10:52 a.m.

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LETICIA LOPEZ, Mayor

**ATTEST:**  
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LISA POPE, City Clerk  
(seal)