

**CITY OF SOUTH GATE**  
**REGULAR CITY COUNCIL MEETING MINUTES**

**Tuesday, January 14, 2020**

1/14/2020 - Minutes

**I. Call To Order/Roll Call With Invocation & Pledge**

CALL TO ORDER M. Belén Bernal, Mayor called a Regular City Council meeting to order at 6:42 p.m.

INVOCATION Pastor Elias Gabriel, First Baptist Church

PLEDGE OF  
ALLEGIANCE Michael Flad, City Manager

ROLL CALL Carmen Avalos, City Clerk

**II. City Officials**

PRESENT Mayor M. Belén Bernal, Vice Mayor Denise Diaz, Council Member Al Rios, Council Member Maria Davila and Council Member Bill De Witt; City Manager Mike Flad, City Attorney Raul F. Salinas

LATE City Treasurer Gregory Martinez arrived at the dais at 6:50 p.m.

**III. Meeting Compensation Disclosure**

**IV. Proclamations, Certificates, Introductions And Ceremonial Actions**

**1. Proclamation Declaring January 26 - February 1, 2020 As School Choice Week**

The City Council unanimously issued a Proclamation declaring January 26 through February 1, 2020, as National School Choice Week in the City of South Gate.

**2. Appointment To The Citizens Advisory Committee**

Council Member Bill De Witt did not make an appointment to the Citizens Advisory Committee to fill a vacancy and will make an appointment at a future City Council meeting.

**V. Comments From The Audience**

Virginia Johnson, 5751 McKinley Avenue commented on the Ethics Training and would like to see the City offer a question and answer session regarding the Brown Act. She commented on a street vendor on the east side selling in the middle of the street and she complimented the City Clerk's Office on their expertise on the reports that they process and on their quality customer service.

John Montalvo, 9815 San Gabriel Avenue spoke on residents' concerns with City maintenance and the lack of transparency with staff and elected officials.

Darlene, resident, feels that the members of Council should not vote on issues where they have received contributions from consultants or members of the public that relate to those issues.

Melissa, 10316 Hunt Avenue, reported concerns that she has noticed while walking around South Gate.

Cesar, 9215 Hildreth Avenue, stated that he received a violation for not having a lawn and believes that he shouldn't receive a violation when the City cannot keep their parks in working order.

Greg Martinez, brought a video with support audio from the Los Angeles Times reporting on Movie Night at the Park and the sales of concessions by the JAA. He is concerned about the contract between the City and the JAA and wants to know where the money is going.

Nick Godoy, 8611 San Gabriel Avenue spoke on traffic, parking and sweeping issues in his neighborhood.

## **VI. Reports And Comments From City Officials**

Joe Perez, Director of Community Development, reminded everyone that the Chamber of Commerce is conducting a grand opening event at the new Goodwill Store and the homeless count will be Wednesday, January 22nd. Volunteers are needed.

Randy Davis, Chief of Police, recapped the Delta Jet fuel incident that happened today.

Mike Flad, City Manager, reported on his trip to Sacramento to attend the League of California Contract Cities Legislative Service Tour.

Greg Martinez, City Treasurer invited everyone to attend to volunteer for the homeless count on Wednesday, January 22nd. He also spoke on a local business that was affected by fraud by taking a picture of a check and placing it into an account.

Carmen Avalos, City Clerk updated everyone on the status of upcoming elections. The City has received confirmation of two vote centers and reminded candidates on the placement of campaign signs.

Council Member De Witt attended a South Coast AQMD meeting that focused on pollution issues in the southeast area. He requested that staff bring a report to the Council that focuses on the volunteer groups. He feels that Mr. Martinez has brought this issue to the attention of the City at three meetings and believes it needs to be addressed.

Council Member Rios was part of a meeting with Assembly Member Rendon and Senator Lena Gonzalez about the upcoming census. He also provided an update on METRO and aligning the bus routes. Last week Council Member Rios and the Mayor met with the Chief and other law enforcement agencies to discuss the homeless problem along the railroad tracks.

Council Member Davila also attended the METRO meeting regarding the aligning of the bus routes.

Vice Mayor Diaz attended the South Coast AQMD and spoke about the upcoming

meetings. She was asked to sit on the board for the Transportation Environmental Equity which is an advisory board for the Strategic Growth Council. The Vice Mayor just came back from a three day retreat with the League of California Cities. She will be going to a three day conference with Vector Control next week. She would like staff to follow up on the fuel issue with Delta and report back and agrees with Mr. De Witt that we need to see the issue with the JAA financial reports brought forward.

Mayor Bernal has been out in the community and speaking with residents. She believes that we need to focus on building equity with fellow agencies and compliance with the rule in place. She encourages everyone to come out to vote at the next election and take place in the upcoming census.

The Mayor attended a few Independent Cities meetings in December as well as one on the 8th. They are preparing for a winter seminar to discuss human trafficking, homelessness and emergency preparedness. The Mayor also attended meeting for the County Sanitation where they discussed food waste co digestion. The process is to take commercial food waste and turn it into a slurry that generates renewable energy.

Lastly, the Mayor said that she realizes that there are plans to bring back the JAA contract specifically the sales at the snack bar. However, she expects that this item is full of the research conducted by the Director of Finance including compliance. One thing we should be aware of is if we do not have a contract with a specific vendor that may open an opportunity to many vendors to come and sell at our parks. We need to decide what it is that we want to see and perhaps open the process out for bids.

## **VII. Consent Calendar Items**

Agenda Items 7, 11 and 12 were unanimously approved by motion of Council Mayor Bernal and seconded by Council Member De Witt. Items 3, 4, 5, 6, 8, 9, and 10 were pulled for separate discussion.

### **3. Resolution Declaring The City's Intention To Grant A Franchise To Tesoro SoCal Pipeline Company, LLC**

The City Council considered adopting a Resolution declaring the City's intention to grant a five-year franchise renewal to Tesoro SoCal Pipeline Company LLC, a Delaware limited liability company, to lay and use pipes, ditches, flumes, conduits and appurtenances for transmitting and distributing oil or products thereof, for any and all purposes in, along, across, upon and under the public streets, ways, alleys and places, as the same now or may hereafter exist, within the City of South Gate, and scheduling a Public Hearing for February 11, 2020, to consider the introduction of an Ordinance granting the proposed franchise renewal.

Item 3 was removed from the agenda and continued to the City Council Meeting of January 28, 2020.

Mayor Bernal and Council Member Davila were excused from voting on this item due to a conflict of interest with a campaign contribution. Council Member De Witt was excused from voting due to a financial conflict of interest.

City Attorney Salinas recommended continuing this item to the next meeting. He stated that there are processes in affect under the Brown Act where we do need to have a quorum to conduct business. Under these circumstances the law allows us to do random balloting so one member council that has a conflict would be able to

participate under California Law.

**4. Resolution Initiating The Annual Proceedings For The Levy Of The Fiscal Year 2020/21 Assessment For The Maintenance District No. 1**

The City Council unanimously adopted Resolution No. 2020-01-CC entitled – A Resolution of the City Council of City of South Gate initiating the annual proceedings for the levy of the Fiscal Year 2020/21 assessments and ordering the preparation of an Engineer's Report for the Street Lighting and Landscaping Maintenance District No. 1 by Council Member Rios and seconded by Mayor Bernal.

**5. Resolution Approving And Adopting The HOME And CDBG Policies And Procedures Manuals**

The City Council unanimously adopted Resolution No. 2020-02-CC entitled – A Resolution of the City Council of City of South Gate approving and adopting the HOME Investment Partnerships Program and Community Development Block Grant Program Policies and Procedures Manuals by Council Member De Witt and seconded by Council Member Rios.

**6. Amendment No. 3 To Contract No. 3504 With Interwest Consulting Group, Inc., Extending Planning Consulting Services**

The City Council unanimously approved A and B by motion of Council Member Bernal and seconded by Council Member Davila.

a. Approved Amendment No. 3 to Contract No. 3504 with Interwest Consulting Group, Inc., to continue providing Interim Senior Planner consulting services and extending the scope of work to include as needed Interim Assistant Planner consulting services in the amount of \$50,000; and

b. Authorized the Mayor to execute Amendment No. 3 in a form acceptable to the City Attorney.

**7. Amendment No. 1 To Contract No. 3531 With Willdan Engineering, Inc., Extending Planning Consulting Services**

The City Council approved A and B during the Consent Calendar.

a. Approved Amendment No. 1 to Contract No. 3531 with Willdan Engineering, Inc., extending the scope of work through and including January 14, 2021, for an additional amount not to exceed \$50,000; and

b. Authorized the Mayor to execute Amendment No. 1 in a form acceptable to the City Attorney.

**8. Amendment No. 1 To Contract No. 3554 With Smith Dawson And Andrews, Inc., Mutually Terminating The Contract, And Approving New Agreement Kiley & Associates, LLC**

The City Council unanimously approved A, B, and C by motion of Vice Mayor Diaz and seconded by Council Member Rios.

a. Approved Amendment No. 1 to Contract No. 3554 with Smith Dawson and Andrews, Inc., mutually terminating Contract No. 3554 for Federal Legislative Advocacy Services, retroactively effective January 1, 2020;

b. Approved an Agreement (Contract No. 2020-01-CC) with Kiley & Associates, LLC to provide Federal Legislative Advocacy Services, retroactively effective January 1, 2020, through and including September 24, 2020, in an amount not to exceed \$32,555; and

c. Authorized the Mayor to execute Amendment No. 1 with Smith Dawson and Andrews, Inc., and the Agreement with Kiley & Associates, LLC in a form acceptable to the City Attorney.

**9. Agreement With METRO For Construction Of The Garfield Avenue And Imperial Highway Street Improvements Project**

The City Council unanimously approved A, B, and C by motion of Council Member De Witt and seconded by Council Member Rios.

a. Approved Funding Agreement (Contract No. 2020-02-CC) with the Los Angeles County Metropolitan Transportation Authority (METRO) to accept \$1,456,250 in Measure R Funds for construction of the Garfield Avenue and Imperial Highway Street Improvements Project (Project), City Project No. 413 -ST;

b. Appropriated \$1,456,250 in Measure R Funds to Account No. 311-790- 31-9433 (Garfield/Imperial Street Improvements) to fund this Project; and

c. Authorized the Mayor to execute the Funding Agreement in a form acceptable to the City Attorney.

EXCUSED FROM ITEM 10 At this time, Council Member De Witt were excused from participating on item10 and departed from the Council Chambers.

**10. Agreement With METRO For Construction Of The Firestone Boulevard At Otis Street Widening And Imperial Highway Median Project**

The City Council approved A, B, and C by motion of Mayor Bernal and seconded Council Member Rios.

a. Approved Funding Agreement (Contract No. 2020-03-CC) with the Los Angeles County Metropolitan Transportation Authority (METRO) to accept \$700,000 in Measure R Funds for the construction of the Firestone Boulevard and Otis Street Widening and Imperial Highway Median Project (Project), City Project No. 496-ST;

b. Appropriated \$700,000 in Measure R Funds to Account No. 311-790-31- 9457 (Firestone/Otis Widening and Imperial Hwy Median) to fund this Project; and

c. Authorized the Mayor to execute the Funding Agreement in a form acceptable to the City Attorney.

REJOINED MEETING Council Member De Witt rejoined the Council prior to the discussion on Item 11.

**11. Notice Of Completion For The Paramount Boulevard At Somerset Ranch Road Project**

The City Council unanimously approved A and B during Consent Calendar.

- a. Accepted completion of construction, effective November 26, 2019, of the Paramount Boulevard at Somerset Ranch Road Project, City Project No. 610- TRF, constructed by Elecnor Belco Electric Inc.; and
- b. Directed the City Clerk to file a Notice of Completion with the Los Angeles County Registrar Recorder's Office.

## **12. Minutes**

The City Council unanimously approved A and B during Consent Calendar.

- a. Approved the Regular Meeting and Special Meeting minutes of November 26, 2019; and
- b. Approved the Special Meeting minutes of December 10, 2019.

EXCUSED FROM ITEM 13 At this time, Mayor Bernal and Council Member Davila were excused from participating on item13 and departed from the Council Chambers.

## **VIII. Reports, Recommendations And Requests**

### **13. Purchase Of Buses For The GATE Fixed Route Program**

The City Council approved Option A by motion of Council Member De Witt and seconded by Vice Mayor Diaz as amended to direct staff to work with Global Transit on exploration of grant funding for alternative fuel vehicles.

- a. Approved a Purchase Order with Creative Bus Sales for the purchase of three Starcraft Class E buses for the GATE Fixed Route Program in the amount of \$447,555.84, through the Cal Act purchasing program, to replace buses that have reached and exceeded their useful life span; OR
- b. Approving a Purchase Order with Creative Bus Sales for the purchase of two Starcraft Class E buses with appropriate conversion kits to run on Compressed Natural Gas (CNG) in the amount of \$372,462.02, through the Cal Act purchasing program to replace buses that have reached and exceeded their useful life span; OR
- c. Approving a Purchase Order with Creative Bus Sales for the purchase of two all-electric buses in the amount of \$517,395.50, through the Cal Act purchasing program, and the purchase and installation of four charging stations in the amount of \$220,000 for a total of \$737,395.50;
- d. Authorizing the City's Purchasing Division to issue a Purchase Order for this purchase in accordance with the City's purchasing ordinance and policies based on the option selected by the City Council; and
- e. Authorizing the Deputy Director of Parks & Recreation to execute any additional documents as may be required to properly implement and manage this purchase.

Council Member Rios motioned to amend the motion to approve the purchase of two buses instead of three buses as recommended in Option A which died for lack of a second.

ROLL CALL: Vice Mayor Diaz, yes; Council Member Rios, yes; Council Member De

Witt, yes; Mayor Bernal, absent; Council Member Davila, absent.

EXCUSED FROM MEETING At this time, Council Member De Witt, was excused from the meeting and departed from the Council Chambers.

**14. Discussion Regarding Video Recording Of City Council Meetings And Staff Direction**

The City Council considered discussing the pros and cons of video recording City Council meetings and provide staff with direction.

This item was continued to a future City Council Meeting.

**15. Proposed South East Los Angeles Pride Event Within The City In April 2020**

The City Council A, C & D by motion of Council Member Davila and seconded by Mayor Bernal to appoint Chairperson as Vice Mayor Diaz and Vice Chairperson as Council Member Davila.

- a. Discussing and approving organizing a 2020 South East Los Angeles (SELA) Pride Event within the City to increase civic engagement and pride;
- b. Establishing a SELA Pride Event Committee and appoint City Council Members to serve as the Chairperson and Vice Chairperson;
- c. Directing staff to establish a proposed list of committee members that are representative of various community stakeholders; and
- d. Directing the Chairperson/Vice Chairperson to present SELA Pride Event updates at a future City Council meetings.

**16. Warrant Registers For December 26, 2019, And January 14, 2020**

The City Council approved A and B by motion of Council Auditor Davila and seconded by Council Member Rios.

- a. Ratified the Warrants for December 26, 2019; and
- b. Approved the Warrants and Cancellations for January 14, 2020.

Total of Checks: \$ 1,272,150.34  
Voids: (\$ 16,800.00)  
Total Payroll Deductions: \$ 293,124.71  
Grand Total: \$ 962,225.63

Cancellations: 86271

**IX. Adjournment**

Mayor Bernal adjourned the meeting in Memory of Maria Guadalupe Suarez and Angel Trejo, long time City Residents at 9:33 p.m. and seconded by Council Member Davila.

**PASSED and APPROVED** this 28th day of January, 2020.

For a signed copy of the minutes for this meeting please contact the City Clerk's Office:  
8650 California Avenue, South Gate, California 90280  
(323) 563-9510 \* fax (323) 563-5411 \* [www.cityofsouthgate.org](http://www.cityofsouthgate.org)