

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

Tuesday, May 12, 2020

5/12/2020 - Minutes

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

CALL TO ORDER Maria Davila, Mayor called a Regular City Council meeting to order at 6:51 p.m.

INVOCATION Reverend Sean Pica, Redeemer Lutheran Church

PLEDGE OF
ALLEGIANCE Maria Davila, Mayor

ROLL CALL Carmen Avalos, City Clerk

II. City Officials

PRESENT Mayor Maria Davila, Vice Mayor Al Rios, Council Member Maria del Pilar Avalos, Council Member Denise Diaz and Council Member Gil Hurtado; City Treasurer Gregory Martinez, City Manager Mike Flad, City Attorney Raul F. Salinas

III. COVID 19 Meeting Procedures

IV. Meeting Compensation Disclosure

V. Proclamations, Certificates, Introductions And Ceremonial Actions

1. Proclamation Declaring May As Older Americans Month

The City Council issued a Proclamation declaring the month of May as Older Americans Month and will recognize Sylvia Masushige as this year's honoree.

2. Proclamation Declaring May 17 - 23, 2020 As National Public Works Week

The City Council issued a Proclamation declaring the week of May 17 through 23, 2020 as "National Public Works Week."

3. City Council Appointments To City Commissions, Committees And Boards

The City Council unanimously approved the following appointments to City Commissions, Committees and Boards; the appointments were ratified by a majority vote of the City Council and as requested by the City Attorney are subject to confirmation of compliance with the City's ordinance applicable to each commission by motion of Council Member Avalos and seconded by Council Member Hurtado.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

Council Member Avalos

Planning Commission - Jenny Perez

Parks & Recreation Commission - Melissa Alvarado
Civil Service Commission - Cristina Montalvo
Citizens Advisory Committee - Denise Martinez, Brigida Salina, Lizette Ruiz, Janet Cazares
Tweedy Mile Advisory Board - Maribel Chaidez

Council Member Diaz

Planning Commission - Diego Sepulveda
Parks & Recreation - Robert Montalvo
Civil Service Commission - Irene Jenson
Citizens Advisory Committee - Darlene Lopez, Jacquelyn Salcedo, Yodit Glaze, 1
Vacancy

Vice Mayor Rios

No changes at this time.

Council Member Hurtado

Planning Commission - Jose De La Paz
Parks & Recreation - Alan D. Flores
Civil Service Commission - Robbie C. Hicklin
Citizens Advisory Committee - Candice Esquivel, Norma Mendoza, Jovanna Laborin, Jimmy Torres
Tweedy Mile Advisory Board - Sylvia Masushige

Mayor Davila

Planning Commission - Jose Delgado
Parks & Recreation - Jennifer Cypert
Civil Service - Vacant
Citizens Advisory Committee - Marie De Lourdes Castillo, Virginia Johnson, Cyndi Esquivel, Anthony Zepeda
Tweedy Mile Advisory Board - Minerva Rodriguez

4. City Council Appointments To Outside Boards And Agencies

The City Council unanimously approved the following appointments to outside boards and agencies, the appointments were ratified by a majority vote of the City Council by motion of Mayor Davila and seconded by Council Member Hurtado.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

City Council Auditor

Representative: Council Member Avalos

County Sanitation District

Representative: Mayor Davila
Alternate: Council Member Hurtado

Gateway Cities Council of Governments

Representative: Mayor Davila
Alternate: Council Member Avalos

Greater Los Angeles County Vector Control District

Trustee: Council Member Diaz

HUB Cities Consortium

Representative: Vice Mayor Rios

Alternate: Council Member Diaz

Independent Cities Association

Representative: Council Member Dias

Alternate: Council Member Hurtado

Independent Cities Finance Authority

Representative: Vice Mayor Rios

Alternate: Council Member Diaz

Independent Cities Risk Management Authority

Representative: Mayor Davila

Alternate: Council Member Hurtado

League of California Cities

Representative: Council Member Avalos

Alternate: Council Member Diaz

Southeast Water Coalition Joint Powers Authority

Representative: Mayor Davila

Alternate: Council Member Diaz

**Southern California Association of Governments – Energy and Environment
Committee Community, Economic & Human Development Committee**

Representative: Council Member Diaz

Alternate: Vice Mayor Rios

Eco-Rapid Transit Authority

Representative: Mayor Davila

Alternate: Council Member Avalos

Los Angeles County City Selection Committee

Representative: Mayor Davila

Alternate: Council Member Diaz

California Contract Cities Association

Representative: Vice Mayor Rios

Alternate: Council Member Diaz

School Safety Collaborative

Representative: Mayor Davila

Alternate: Council Member Avalos

Atlantic Ave/Blvd Corridor Cities Committee

Representative: Mayor Davila

Alternate: Council Member Avalos

Southeast Community Development Corporation

Representative: Council Member Diaz
Alternate: Vice Mayor Rios

VI. Public Hearings

5. Ordinance Amending Title 9 (Buildings) Of The Municipal Code Updating The California Building Standards Codes

The City Council conducted a Public Hearing and unanimously waived the reading in full and introduced Ordinance No. 2020-02-CC entitled - An Ordinance of the City Council of City of South Gate amending Title 9 (Buildings), of the South Gate Municipal Code, in its entirety by adopting by reference the 2019 Edition of the California Codes of Regulations, Title 24 and the 2018 Edition of the Uniform Solar Energy and Hyrdronics Codes, and 2018 Edition of Swimming Pool, Spa and Hot Tub Codes published by the International Association of Plumbing and Mechanical Officials, effective July 1, 2020 unanimously approved by Council Member Avalos and seconded by Council Member Hurtado.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

Mike Flad, City Manager and Joe Perez, Director of Community Development provided a brief overview of this item.

Vice Mayor Rios questioned the meaning of Title 9.

Mr. Perez explained that Title 9 can have different titles from City to Federal Governments.

Mayor Davila opened the public hearing and asked if anyone in the audience wishes to speak on this item. Seeing no one come forward, Mayor Davila closed the public hearing.

Council Member Hurtado asked if any existing work be grandfathered in or will the work need to meet these new standards.

Mr. Perez stated that current construction will have to meet these new standards but previous work would have been grandfathered in and does not apply to this.

Council Member Avalos thanked staff for a very clear report that covered all her questions.

VII. Comments From The Audience

Josh Barron, spoke on Food Drive held at South Gate Park and thanked all the Council Members and POA for their efforts. He stated that he was reappointed as a commissioner and looks forward to working with everyone to better the community. He also reported that there has been an increase in homeless at Santa Fe Avenue and Firestone Boulevard and requested that the police patrol the area more often.

Richard Ludt, commented that he is having difficulty getting conditions of approval for a parking lot project.

Virginia Johnson, commented on the appointments to the outside boards and agencies

and the South Gate Scanner Facebook page. She questioned the City Attorney on the policy of Council Members discussing agenda items before the City Council Meeting. She reported that the property at 13050 Paramount Boulevard has overgrown weeds.

Bobbie Thompson, 8848 Firestone Plaza, spoke that she has never seen South Gate so bad. She thanked the City Manager and the Police Department for her drive by Birthday celebration.

Sofi Ryan spoke on the Food Drive held at South Gate Park.

Thomas Buckley spoke on the political climate and corruption in the City of South Gate.

Nick Godoy, 8611 San Gabriel Avenue, spoke on parking enforcement during the COVID-19 pandemic and believes that we should extend the process of not issuing citations as many residents are not working or staying at home.

Juliano Jarquin, spoke on the health care options available in Los Angeles County.

A resident thanked everyone that worked on the Food Drive, the possibility of a park near the 710 freeway and the homeless situation.

Susy Darias, 10108 San Gabriel Avenue, commented on the posts that she has read on social media.

Candice Esquivel, 9520 Hildreth Avenue, thanked everyone that worked on the Food Drive held at South Gate Park.

Adolfo Varas, 10313 Jackson Avenue, thanked everyone that worked on the Food Drive held at South Gate Park and shared his concerns with corruption in the City.

John Montalvo, 9815 Virginia Avenue, congratulated Mr. De La Paz for his appointment to the Planning Commission. He thanked everyone that worked on the Food Drive held at South Gate Park and shared his concerns with corruption in the City.

Jovanna Laborin, 3372 Seminole Avenue, thanked everyone that worked on the Food Drive held at South Gate Park and shared her concerns about remarks being made on social media.

Cynthia Esquivel, thanked everyone that worked on the Food Drive held at South Gate Park and felt that it was a nice touch to hand out roses to the ladies that attended the event.

VIII. Reports And Comments From City Officials

Joe Perez, Director of Community Development, informed the community that the Census Mobile will be out on May 13th promoting the 2020 Census.

Raul F. Salinas, City Attorney, explained to the public that the Brown Act applies whenever there is a meeting and meeting is defined to when there is a majority of members of that specific body. A meeting in the terms of South Gate would be three people. If two members of council got together and talked about a specific matter of business that would not be considered a Brown Act meeting but if those two members engage in serial meetings with one other person and they would be considered a meeting under the Brown

Act. The Brown Act states that all business done by the City Council Member must be done in public during a regularly scheduled meeting. There are exceptions to this, ceremonial exceptions, community meetings, but the basic idea is that the business of the City needs to be in front of the public unless it is allowed to be done in Closed Session.

Greg Martinez, City Treasurer, thanked the Mayor and Council for organizing the Mother's Day Food Drive and explained that he was unable to attend because he is now working with Homeless Health Care Provider under operation Room Key. This program provides shelter for the homeless individuals that are over 65 or have chronic health conditions. They do not have the COVID-19 virus. It works towards getting people off the streets, providing shelter, and getting them into programs safely.

Carmen Avalos, City Clerk, informed the public that the upcoming November election will be conducted as an all-mail ballot election. There will be opportunities for people to vote at a vote center but these opportunities will be limited.

Council Member Diaz, spoke on the effect of large gatherings for the community, bill payments and food drives as a result of COVID- 19.

Council Member Hurtado, spoke on street sweeping and parking enforcement as a result of COVID-19. He reported that in Area 5 there is an on-going problem with signs posted illegally on the street and asked staff to look into this. He thanked everyone for working on the Food Drive and that the City is at a 56% rate for the Census Count. He received a response on how many people have recovered from COVID-19 and it appears that the County is not keeping records of that.

Vice Mayor Rios, addressed some of the rumors that are currently on social media.

Mayor Davila, thanked everyone that worked on the Mother's Day food drive and addressed some of the rumors that are currently on social media.

The Mayor requested that the following statement be included in the minutes.

I started my public service career when I was first elected as a City Council Woman in 2003. At the time, the City was in the midst of public scandal with both state and federal prosecutors serving subpoena and raiding City Hall for records. The City was near bankruptcy but as a Council we worked together in those years to regain the Public's trust by turning the City around and implementing procedures that permitted public input beyond what is required by state law and those procedures remain in place today. In recent weeks following a contested municipal election there has been social media posts alleging that I have engaged in corrupt activities. These posts are from individuals who appear to write under false names and/or who have never come to City Hall to voice their concerns. I respect the right of the public to voice their opinion even those with viewpoints that I believe are ill informed erroneous in nature. I wish to bring this to the attention of the public, not to elevate the status of the posts, rather to protect the integrity of the institution that we call City Hall and the City of South Gate. I will not evade what my motives such as social media posts as respect to the right of free speech but which to be on record that I denied such accusations. As a City we are very transparent in our dealing with the public as a member of the City Council I believe our deliberance and decisions are open and our based on reports that we received from a team of highly talented department heads who work hard and in the best interest of the City. I have always acted in the best interest of the City. If anyone believes that I or any member of the City Council has violated our official

duties I encourage them to file their claims with the appropriate state of local agencies that oversee our ethical conduct. I wish to state that I support our police department and particularly wish to single the men and women of the department as heroes because of their status as first responders and the tremendous work that they have done. I also wish to thank our entire City employee's workforce and all the other departments for working so hard to continue providing essential service to the residents of the City during the period of crisis caused by the corona virus. We owe all of you a deep sense of gratitude acknowledgment for your daily contribution to the betterment of our community.

IX. Consent Calendar Items

Agenda Items 6, 8, 9, 10, 11, 12 and 13 were unanimously approved by motion of Mayor Davila and seconded by Vice Mayor Rios. Item 7 was pulled for separate discussion.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

6. Resolution Updating The Job Specifications Of The Senior Accountant Position

The City Council unanimously adopted Resolution No. 2020-18-CC entitled - A Resolution of the City Council of City of South Gate amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) to update the job specification of the Senior Accountant position in the Administrative Services Department during Consent Calendar.

7. Agreement With Kosmont & Associates, Inc./Kosmont Companies For Property Annexation Assistance

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

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

a. Approved an Agreement (Contract No. 2020-28-CC) with Kosmont & Associates, Inc., doing business as Kosmont Companies, for real estate advisory services for property annexation assistance for the property located at Assessor Parcel Number 6234-012-900 for the development of the Southeast Los Angeles Cultural Center, in an amount not to exceed \$20,000;

b. Appropriated \$27,000 from the unassigned General Fund balance to account number 100-603-41-6101 (General Fund - Planning - Professional Services) to fund this Agreement and the property surveys needed to complete annexation;

c. Appropriated \$10,000 from the unassigned General Fund balance to account number 100-603-41-6309 (General Fund - Planning - Fees & Charges) to fund the LAFCO application fees; and

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

8. Employment Agreement With Steve Costley As Interim Director Of Parks & Recreation

The City Council unanimously approved A and B during consent calendar.

- a. Approved an Employment Agreement (Contract No. 2020-29-CC) with Steve Costley for the position of Interim Director of Parks & Recreation, retroactively effective January 1, 2020; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

9. Agreement With Hardy And Harper, Inc., For The Construction Of The Chakemco Street Improvement Project

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

- a. Approved an Agreement (Contract No. 2020-30-CC) with Hardy and Harper, Inc., to construct the Chakemco Street Improvement Project, City Project No. 593-ST (Project), in an amount not-to- exceed \$447,000;
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney; and
- c. Approved the Notice of Exemption for the construction of the Project and direct the City Clerk to file it with the Los Angeles County Registrar Recorder's Office.

10. Purchase Of Two Dump Trucks For The Public Works Street And Sewer Division

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

- a. Authorized the purchase of two 2020 Ford Super Duty F-550 Dump Trucks from National Auto Fleet Group through Sourcewell for the Public Works Street and Sewer Division, in the amount \$140,514; and
- b. Authorized the Mayor to execute the documents necessary to purchase the two 2020 Ford Super Duty F-550 Dump Trucks in forms acceptable to the City Attorney.

11. Change Orders, Appropriations And Notice Of Completion For The Boulevard Project

The City Council unanimously approved A, B, C, D, E, F, G, H and I during Consent Calendar.

- a. Approved Contract Change Order No. 5 to Contract No. 3389 to fund improvements that were necessary to address unforeseen field conditions, to modify the project scope by adding and removing improvements, and to fund overhead costs incurred by an extended construction schedule, in the amount of \$312,185;
- b. Approved Contract Change Order No. 6 to Contract No. 3389 to remove from the contract improvements that were not cost effective to construct, resulting in a cost reduction of \$843,410;
- c. Approved Contract Change Order No. 7 to Contract No. 3389 to increase the amount of the contract as the actual sum of some of the construction quantities required to complete construction was higher than the amount specified in the contract, thus resulting in a cost increase of \$672,820;
- d. Approved Contract Change Order No. 8 to Contract No. 3389 to reduce the amount

of the contract as the actual sum of some of the construction quantities required to complete construction was less than the amount specified in the contract, thus resulting in a cost reduction of \$1,025,403;

e. Authorized the Assistant City Manager/Director of Public Works to execute Contract Change Order Nos. 5, 6, 7 and 8 for a net reduction of the contract amount of \$883,808;

f. Appropriated \$317,307 in funds received and credited to revenue Account No. 311-4699 to Account No. 311-790-31-9447 for The Boulevard Project, City Project No. 476-TRF, to allocate the funds paid to the City by the Los Angeles Community College District for their share of the costs associated with the construction of a traffic signal at the intersection of Firestone Boulevard and Calden Avenue, constructed under The Boulevard Project;

g. Appropriated \$11,671 in funds to be received and credited to revenue Account No. 311-4699 to Account No. 311-790-31-9447 for The Boulevard Project to allocate the funds to be fully paid to the City by the Sky Investment Group for their share of the costs associated with the repair of road median and landscaping improvements completed under The Boulevard Project;

h. Accepted completion of construction, effective October 28, 2019, of The Boulevard Project, City Project No. 476-TRF, Metro Call-For-Projects ID No. F3124; and

i. Directed the City Clerk to file a Notice of Completion with Los Angeles County Registrar Recorder's Office.

12. Declaration Of Obsolete Firearms As Surplus Property; And Purchase Order With ProForce Law Enforcement For Purchase Of New Firearms

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

a. Declared the designated 113 obsolete firearms as surplus properly:

b. Approved a Purchase Order with ProForce Law Enforcement to exchange these firearms for credit to purchase new firearms through the Buy-Back Program;

c. Authorized the City's Purchasing Division to issue a Purchase Order for this purchase in accordance with the City's purchasing ordinance and policies; and

d. Authorized the Police Chief to execute any additional documents as may be required to properly implement and manage this purchase.

13. Minutes

The City Council unanimously approved the Regular and Special Meeting minutes of April 21, 2020 during Consent Calendar.

X. Reports, Recommendations And Requests

14. Resolution Finding There Is A Need To Continue The Local Emergency Due To The Ongoing COVID-19 Pandemic

The City Council unanimously adopted Resolution No. 2020-19-CC finding there is a need to continue the Local Emergency within the City as a result of the ongoing

Coronavirus Disease 2019 pandemic by motion of Mayor Davila and seconded by Vice Mayor Rios.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

15. General Fund Financial Status Update And Proposed Budget Adjustments

The City Council unanimously approved A, B, C, D and E by motion of Council Member Hurtado and seconded by Mayor Davila.

- a. Received and filed the financial status update of the Fiscal Year 2019/20 Municipal Budget;
- b. Appropriated \$30,000 from the Prop A Maintenance and Servicing account to account no. 221-480-33-6101 for the remaining payment to Amigos de Los Rios for the Hollydale Regional Park project;
- c. Appropriated \$375,000 from the unassigned General Fund Balance to account no. 100-604-29-XXXX (various accounts) for the costs of the Code Enforcement program that were previously funded with CDBG funds;
- d. Appropriated \$53,600 from the unassigned South Coast Air Quality Management District (SCAQMD) Fund Balance to account no. 223-610-49-9100 for four Diesel Particulate Regeneration Stations; and
- e. Appropriated \$185,500 from the unassigned Street Lighting & Landscaping Fund Balance to account number 251-714-25 9500 for the purchase and installation of four traffic signal standards.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

16. Warrant Register For May 12, 2020

The City Council unanimously approved the Warrants and Cancellations for May 12, 2020 by motion of Council Auditor Avalos and seconded by Vice Mayor Rios.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

Total of Checks: \$1,321,127.11
Voids: \$ (4,465.20)
Total Payroll Deductions: (\$ 299,115.56)
Grand Total: \$1,017,546.35

Cancellations: 87365, 87704, 87826

XI. Adjournment

Mayor Davila unanimously adjourned the meeting at 10:45 p.m. and seconded by Vice Mayor Rios.

PASSED and **APPROVED** this 9th day of June, 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