

CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, May 25, 2021

5/25/2021 - Minutes

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

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

INVOCATION Vice Mayor Maria del Pilar Avalos

PLEDGE OF

ALLEGIANCE CJ Evans, Marine Veteran

ROLL CALL Carmen Avalos, City Clerk

II. City Officials

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

COVID 19 Meeting Procedures

III. Meeting Compensation Disclosure

IV. Proclamations, Certificates, Introductions And Ceremonial Actions

1. Proclamation Declaring May 31, 2021 As Memorial Day

The City Council issued a Proclamation declaring May 31, 2021, as Memorial Day Honoring our Nation's Heroes.

2. Proclamation Declaring June 2021 As National Post- Traumatic Stress Disorder Awareness Month

The City Council issued a Proclamation declaring June 2021 as National Post-Traumatic Stress Disorder Awareness Month.

3. Proclamation Declaring June 2021 As LGBTQ Pride Month

The City Council issued a Proclamation declaring June 2021 as LGBTQ Pride Month.

V. Public Hearings

4. Resolution Ordering The Levy Of Annual Assessments For The Street Lighting And Landscaping Maintenance District 1

The City Council conducted a Public Hearing and adopted Resolution No. 2021-22-CC entitled - Resolution of the City Council of the City of South Gate, California, ordering the levy of the Fiscal Year 2021/22 Annual Assessment for the Street Lighting and Landscaping Maintenance District No. 1 by motion of Council Member Davila and seconded by Vice Mayor Avalos.

ROLL CALL: Council Member Davila, yes; Council Member Diaz, yes; Council Member Hurtado, absent (technical problems); Vice Mayor Avalos, yes; Mayor Rios, yes.

Art Cervantes, Director of Public Works presented the staff report on this item.

Mayor Rios opened the Public Hearing. Seeing no one come forward the Mayor closed the Public Hearing.

Council Member Hurtado explained that he was muted and that is why he did not participate in the vote. Council Member Hurtado asked the City Attorney for clarification.

Raul F. Salinas, City Attorney stated that being muted is a sign of technology not of participation. Mr. Salinas said that the City Council has already taken action but Council Member Hurtado can still make his comments.

Council Member Hurtado asked staff to explain the process for properties located on a corner lot.

Mr. Cervantes explained the process for corner properties.

5. Resolution Amending Resolution No. 2021-02-CC Applying Increases To Residential Refuse Collection, Recycling Services And Non-Compliance Rates For Fiscal Year 2021/22

The City Council conducted a Public Hearing and unanimously adopted Resolution No. 2021-23-CC entitled - Resolution of the City Council of the City of South Gate, California, amending Resolution No. 2021-02-CC (Schedule of Fees) applying a 0.97% increase to the residential refuse collection and recycling services rates and a \$60.46 increase to the Assembly Bill 341 non-compliance fee for Fiscal Year 2021/22, effective July 1, 2021 by motion of Council Member Hurtado and seconded by Vice Mayor Avalos.

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

Art Cervantes, Director of Public Works presented the staff report on this item.

Mayor Rios opened the public the Public Hearing and asked is anyone in the audience wishes to speak on this item.

Virginia Johnson, spoke on the current contract with USA Waste.

Seeing no one come forward the Mayor closed the Public Hearing.

VI. Consent Calendar Items

Agenda Items 6, 7, 8, 10, 11, 12, 13 and 14 were unanimously approved by motion of Council Member Davila and seconded by Vice Mayor Avalos. Item 9 was pulled for separate discussion.

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

6. Resolution Approving Successor Memorandum Of Understanding With The South Gate Police Officers Association

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

- a. Resolution No. 2021-24-CC entitled - Resolution of the City Council of the City of South Gate, California, approving the comprehensive successor Memorandum of Understanding (MOU) (Contract No. 2021-86-AC) with the South Gate Police Officers' Association (SGPOA) for a four-year term commencing July 1, 2017, through June 30, 2021; and
- b. Authorized the Mayor to execute the comprehensive successor Memorandum of Understanding in a form acceptable to the City Attorney.

7. Retainer Agreement With Liebert Cassidy Whitmore For Specialized Employment Relations Matters

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

- a. Attorney Retainer Agreement (Contract No. 2021-65-CC) with the Law Firm of Liebert Cassidy Whitmore to provide legal services to the City related to consulting, representational and legal services pertaining to employment relations matters; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

8. Amendment No. 1 To Contract No. 2021-26-AC With Interwest Consulting Group, Inc., For Additional Planning Consulting Services

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

- a. Amendment No. 1 to Contract No. 2021-26-AC with Interwest Consulting Group, Inc., for additional Community Development Department Assistance and Planning Consulting Services on an interim basis through May 31, 2022, in an amount not to

exceed of \$221,600; and

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

9. Amendment No. 1 To Contract No. 2020-19-CC With RSG, Inc., For Additional On-Call Services

The City Council unanimously approved A and B as amended by motion of Council Member Davila and seconded by Vice Mayor Avalos.

AMENDMENT: Change the effective date of the contract from March 25, 2021 to May 25, 2021.

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

a. Amendment No. 1 to Contract No. 2020-19-CC with RSG, Inc., to continue providing as needed administrative services to the Community Development Department through June 30, 2022, in an amount not to exceed \$203,915; and

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

10. Amendment No. 3 To Contract No. 3407 With Avant-Garde, Inc., For Additional Administrative Services

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

a. Amendment No. 3 to Contract No. 3407 with Avant-Garde, Inc., for additional as needed administrative services for the Community Development Block Grant (CDBG) and HOME Investment Partnership Programs in an amount not to exceed \$149,705;

b. Appropriated \$149,705 from the unassigned CDBG-CV administrative funds in account number 243-607-43-6101 to fund the unbudgeted amount for Amendment No. 3; and

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

11. Amendment No. 3 To Contract No. 3398 With ViaTRON Systems, Inc., For Continued Document Scanning Services

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

a. Amendment No. 3 to Contract No. 3398 with ViaTRON Systems, Inc., retroactively effective January 1, 2021, to continue providing document scanning services for the Community Development Department, for an additional three-year term, in the amount not to exceed \$25,257 per year, for a total of \$75,771 over three years; and

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

12. Amendment No. 1 To Contract No. 3354 With Caltrans For The I-710 Firestone Boulevard On-Ramp Modification Project

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

a. Amendment No. 1 to Contract No. 3281 with the California Department of Transportation (Caltrans) re-allocating \$800,000 in project funds from the construction phase to the design phase to prepare design and construction documents for the I-710 Firestone Boulevard On- Ramp Modification Project, Federal Project No. HP21L-5257 (036), City Project No. 354-ST; and

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

13. Amendment No. 2 To Contract 2020-104-AC With KOA Corp., For Additional Construction Inspection Services

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

a. Amendment No. 2 to Contract No. 2020-104-AC with KOA Corporation, retroactively effective March 24, 2021, for an additional 22 days of construction inspection services of the 5610 Imperial Highway Off-Site Improvements Project, in an amount not-to-exceed \$29,638, to be paid with the developer's funds;

b. Appropriated \$29,638 in funds received from the developer Westport Construction, Inc., and deposited into Revenue Account No. 100-4340 (Public Works Permits) to Account No. 100-701-31-6106 (General Fund - Public Works Engineering - New Development/Other Services) to fund the cost of this Amendment No. 2 to Contract No. 2020-104-AC: and

c. Authorized the Mayor to execute Amendment No. 2 in a form acceptable to the City Attorney.

14. Easement Deed From Sky Investment Group, LLC For 2742 Firestone Boulevard

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

a. Accepted the Easement Deed (Deed Number 192) from Sky Investment Group, LLC for street and highway purposes to secure a 28-foot swath of right-of-way along Firestone Boulevard; and

b. Authorized the Mayor to execute the Certificate of Acceptance in a form acceptable to the City Attorney.

VII. Comments From The Audience

Patricia Camacho introduced Chris Torres the new District Director with Congresswoman Nanette Barragan's Office. Mr. Torres introduced himself to the public.

Kalie Ortiz, Tree People, announced that her non-profit organization will be giving away free fruit trees in June at South Gate Park. Delta Airlines provided the funds for this event.

Francisco Amezcua stated his concerns about parking and police enforcement on street sweeping day.

Virginia Johnson spoke about concerns of the residents regarding crime and an upcoming clean-up in the Hollydale area. She mentioned that during the Housing Authority meetings it was mentioned that staff report regarding the old Rancho Market offered three design proposals but she could not find any record of these proposals.

Adolfo Varas thanked all involved with the mobile vaccination clinic. He also thanked his colleagues on the Parks and Recreation Commission for appointing him as the new Chairperson.

Robert Montalvo reminded everyone that the City of South Gate is hosting a virtual Memorial Day event. He also thanked the Police Department for helping a local group of Girls Scouts earn their safety badge.

VIII. Reports And Comments From City Officials

Randy Davis, Chief of Police followed up on the concerns by Mr. Amezcua by stating that the Police Department is bumping up on parking enforcement but the enforcement officers do follow the sweepers on street sweeping day. The Police Department does enforce the full time as posted but they will double back if a concern was reported.

Captain Darren Arakawa spoke on community events that the Police Department are participating in.

Steve Costley, Interim Parks and Recreation spoke on upcoming events.

Carmen Avalos, City Clerk announced that at the next City Council meeting there will be a report on the SB970 changes for the upcoming 2022 election.

Council Member Diaz spoke about 211LA which is a nonprofit group that assisted people with COVID issues and various hate crime issues.

Council Member Diaz stated that she sits on the Los Angeles County Library Commission and they recently went through their budget. The libraries asked for a measure to be placed on the ballot to help raise funds but the Commission members voted no.

Council Member Diaz reported on the Rivers and Mountains Conservancy and they presented the cultural center. The ground breaking is estimated to be 2024. Mailers went out and Council Member Diaz asked that the Hollydale residents let her know if the mailers were received.

Council Member Hurtado spoke on the cleanup event and had a great turnout of people.

Council Member Hurtado asked Art Cervantes, Director of Public Works to speak on the June 5th event.

Mr. Cervantes state that on June 5th the City will be hosting a bulky item pickup event. This event will allow residents to dispose of bulky items and certain hazardous waste.

Council Member Hurtado has had several inquiries about what the duties of the mayor are and is the mayor responsible for the agenda items. He explained that any council member has the same rights and that it is not just the mayor. All council members were elected to address the concerns of the residents and that's what we do. If people post things on social media, it might not get seen. People should contact City staff to have their problems addressed.

Council Member Davila thanked South Gate Police Department for Coffee with a Cop. We had a great turnout. Hopefully we can have more events in different areas of the City.

Vice Mayor Avalos thanked the residents that attended tonight's meeting and thanked the Police Department for Coffee with a Cop. The community cleanup went well and hopes that we can continue these types of activities in the future. She also encouraged the residents to reach out to the members of council with their concerns.

Mayor Rios spoke about the City events he attended and that the arts initiative from Plaza Community Center is still has scholarships available.

HUB Cities will be having a new office here in South Gate on Tweedy Boulevard and he provided information on the Collage Promise. This program provides financial assistance and a computer for seniors that have finished high school and want to attend college.

IX. Reports, Recommendations And Requests

15. Agreement And Appropriations For The Construction Of The Urban Orchard Project

EXCUSED FROM MEETING At this time, Council Member Hurtado recused himself from Item 15 and left the call.

The City Council approved A, B, C, D, E, F, G, H, I, J, K, L, and M by motion of Council Member Davila and seconded by Vice Mayor Avalos.

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

a. Agreement (Contract No. 2021-66-CC) with NR Development, Inc., for the construction of the Urban Orchard Project (Project), City Project No. 539-PRK, which includes the Base Bid in the amount of \$12,375,819 and the Alternate Bid in the amount of \$3,495,034, for a not-to-exceed amount of \$15,870,853;

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

- c. Appropriated \$3,150,000 from the Assigned for Capital Projects fund balance of the General Fund to Account No. 311-790-61-9214 (CIP-Urban Orchard Project, City Project No. 539-PRK) to fund the Urban Orchard Project;
- d. Appropriated \$816,725 from the unassigned fund balance of the General Fund to Account No. 311-790-61-9214 (CIP Urban Orchard Project, City Project No. 539-PRK) to fund the Urban Orchard Project;
- e. Appropriated \$475,537 in Fiscal Year 2020/21 Measure W Funds from the restricted fund balance of the Measure W Fund to Account No. 311-790-61-9214 (CIP-Urban Orchard Project, City Project No. 539-PRK) to fund the Urban Orchard Project;
- f. Directed the City Manager to budget \$479,982 in Fiscal Year 2021/22 and \$479,982 in Fiscal Year 2022/23 in Measure W Funds scheduled to be received in said Fiscal Years to Account No, 311-790-61-9214 (CIP-Urban Orchard Project, City Project No. 539-PRK) to fund the Urban Orchard Project;
- g. Approved Amendment No. 4 to Contract 3352 with The Trust For Public Land to develop a structure under which the City will receive \$3,426,224 in grant funds from The Trust for Public Land, awarded for the construction of Urban Orchard Project;
- h. Appropriated \$3,426,224 in grant funds awarded to The Trust For Public Land, to Account No. 311-790-61-9214 (CIP Urban Orchard Project, City Project No. 539-PRK) to fund the construction of Urban Orchard Project;
- i. Approved Use and Maintenance Agreement (Contract No. 2021-67-CC) with the Los Angeles County Flood Control District to develop terms and conditions which the City will use to maintain the Bandini Channel and adjacent right-of-way for the Urban Orchard Project, and accepting \$530,000 in funds for the Urban Orchard Project;
- j. Appropriated \$530,000 in funds from Los Angeles County Flood Control to Account No. 311-790-61-9214 (CIP-Urban Orchard Project, City Project No. 539-PRK) to fund betterments in Los Angeles County Flood Control District right of way for the Urban Orchard Project;
- k. Authorized the City Manager to approve up to \$500,000, or approximately 3%, in construction change orders to be funded with budget contingency funds should it be necessary;
- l. Authorized the City Manager to approve pre-payments of construction progress payments for the construction contract to meet compliance with State legislation that requires payments within 30 days; and
- m. Approved the request from Horizon Construction to withdraw its \$9,522,781 bid, which was incomplete and had mathematical errors.

REJOINED MEETING

Council Member Hurtado rejoined the Council prior to the discussion of Item 16.

16. Agreement With Express Energy Services, Inc., For The South Gate Park

Lighting Project

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

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

- a. Agreement (Contract No. 2021-68-CC) with Express Energy Services, Inc., for the construction of the Park Lighting & Energy Efficiency Upgrades Project, City Project No. 588-PRK, Federal HUD No. 673 (Park Lighting Project), in an amount not-to-exceed \$186,002;
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney;
- c. Approved the Notice of Exemption (NOE) for the construction of the Park Lighting Project and directing the City Clerk to file the NOE with the Los Angeles County Registrar Recorder's Office;
- d. Approved the request from SacTown Contractors, Corp., to withdraw its \$109,572 bid, which included material substitutions not meeting the City's standards;
- e. Approved the request from ProCal Lighting, Inc., to withdraw its \$119,275 bid, which included material substitutions not meeting the City's standards;
- f. Approved the request from Thomas Solar Energy to withdraw its \$130,346.65 bid, which included material substitutions not meeting the City's standards; and
- g. Approved a transfer of \$100,000 from account number 100-701-31-9100 (General Fund - Engineering - Facility Improvements) programmed for the Park Lighting Project to Account No. 311-790-39-9468 (Capital Projects Fund - Park Lighting & Energy Efficiency Upgrades Project).

17. American Rescue Plan Act Report

The City Council moved this item to a future City Council meeting by motion of Council Member Davila and seconded by Vice Mayor Avalos.

- a. Receiving and filing the American Rescue Plan Act (ARPA) of 2021 report; and
- b. Providing direction to staff on the proposed use of the City's estimated \$34.5 million allocation from the ARPA. Based on the City Council's direction, staff will prepare appropriate budgetary action for the City Council's consideration at a future meeting.

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

18. West Santa Ana Branch Report

The City Council moved this item to a future City Council meeting by motion of Council Member Davila and seconded by Vice Mayor Avalos.

- a. Receiving and filing an update report of the West Santa Ana Branch Light Rail Project; and
- b. Providing staff with direction as it relates to the draft Master Cooperative Agreement with the Los Angeles County Metropolitan Transportation Authority and future fiscal planning.

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

19. Motion For Reconsideration Of The Approval Of Subrecipient Agreements With The Tweedy Mile Association And Helpline Youth Counseling, Inc.

The City Council considered:

- a. A motion for reconsideration of the approval of the two subrecipient agreements with the Tweedy Mile Association and Helpline Youth Counseling, Inc., using Community Development Block Grant Coronavirus Round 3 (CDBG-CV3) funds, under the Fiscal Year 2019/20 Annual Action Plan, considered during the City Council Meeting of May 11, 2021; and
- b. IF the motion for reconsideration is approved by majority of the City Council, determine whether or not to direct staff to publish a notice of hearing to conduct a public hearing at the regularly scheduled City Council Meeting of June 8, 2021, to determine whether to rescind City Council action, and if necessary, to determine the recipient of those CDBGCV3 funds.

A motion for reconsideration (Item A) was made by Council Member Hurtado and seconded by Vice Mayor Avalos.

Roll Call: Council Member Hurtado, yes; Council Member Diaz, no; Council Member Davila, no; Vice Mayor Avalos, yes; Mayor Rios, no.

The motion for reconsideration is not approved and this ended the discussion on Item 19.

20. Discussion Of Sports Field Lighting For Night Youth Programs At Hollydale Park

The City Council moved discussing and providing direction regarding the addition of sports specific field lighting at Hollydale Regional Park to a future City Council meeting by motion of Council Member Davila and seconded by Vice Mayor Avalos.

21. Discussion On Options For The Snack Bar At The South Gate Park Sports Center

The City Council approved A and B by motion of Council Member Davila and seconded by Mayor Rios with the condition that by July 1st the State clears the suspension of the JAA or the City would not activate the contract and that an operational review would be conducted.

Roll Call: Council Member Diaz, yes; Council Member Davila, yes; Vice Mayor Avalos, abstain; Mayor Rios, yes; Council Member Hurtado, recused.

a. Approved a new Concession Agreement (Contract No. 2021-69-CC) with the South Gate Junior Athletic Association to provide food vending services to South Gate Park patrons, for a term of three years; and

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

OR

c. Directing staff to close the Snack Bar operations and convert the space into storage for Parks & Recreation programs; and

d. Authorizing the Interim Director of Parks & Recreation to execute any additional documents as may be required to properly implement and manage Snack Bar closure and conversion.

Council Member Hurtado recused himself from participating on Item 21 as he is the president of the JAA and left the City Council Meeting.

Council Member Avalos motioned to bring back this item when the JAA is fully in compliance with the Secretary of State and the franchise tax board. Motion died due to lack of support.

22. Agreement For Transportation Concepts For The Fixed Route Service (GATE) Program For A Five-Year Term

The City Council unanimously approved A, B, and C as amended by motion of Council Member Hurtado and seconded by Council Member Davila.

Amendment: Staff to negotiate with Global Paratransit to include in their contract: 1) the maintenance of the vehicles; 2) raise the rate of pay for the drivers to \$18.75; and 3) keep the same or lower total cost as Transportation Concepts.

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

a. The Transit Services Agreement for the operation and management of the transit services Fixed Route GATE Program for a five-year term commencing September 1, 2021, through June 30, 2026;

b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney; and

c. Authorized the Director of Parks & Recreation to act as agent for the City under this Agreement to sign any subsequent documents on behalf of the City as required, including the lease of any City vehicles as required.

23. Warrants

The City Council approved the warrants with the exception of #92536, #92574, and #92614 by motion of Vice Mayor Avalos and seconded by Council Member Davila.

a. Approving Check Nos. 92375, 92393, 92418 from May 11, 2021

b. Approving the Warrant Register for May 25, 2021

Total of Checks: \$4,752,307.98

Voids: \$ (0.00)

Total of Payroll Deductions \$ (340,857.39)

Grand Total: \$4,411,450.59

X. Adjournment

Mayor Rios unanimously adjourned the meeting at 11:54 p.m. in memory of South Gate Residents that recently passed and Cruz Reynoso, Former Associate Justice of the Supreme Court of California, by motion of Council Member Davila and seconded by Vice Mayor Avalos.

PASSED and APPROVED this 13th day of July 2021.

For a signed copy of the minutes for this meeting please contact the City Clerk's Office:

8650 California Avenue, South Gate, California 90280

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