

CITY OF SOUTH GATE REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, August 11, 2020

8/11/2020 - 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 6:34 p.m.

INVOCATION Church Pastor Elias Gabriel, First Baptist Church

PLEDGE OF
ALLEGIANCE Daisy Banuelos, South Gate Resident

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 Manager Mike Flad, City Attorney Raul F. Salinas

LATE City Treasurer Gregory Martinez joined the meeting at 6:55 p.m.

COVID 19 Meeting Procedures

III. Meeting Compensation Disclosure

IV. Proclamations, Certificates, Introductions And Ceremonial Actions

1. Appointments To City Commissions, Committees And Boards

The City Council made appointments to the City Commissions, Committees and Boards; the appointments were ratified by a majority vote of the City Council.

Council Member Diaz appointed Bridgette Garza to the Citizens Advisory Commission and seconded by Mayor Davila.

Council Member Diaz appointed Christina Montalvo to the Citizens Advisory Commission and seconded by Mayor Davila.

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

2. Ratification Of Daisy Banuelos' Appointment To The Commission For South

Gate Youth

The City Council unanimously ratified, by a majority vote, the appointment of Daisy Banuelos to the Commission for South Gate Youth by motion of Mayor Davila and seconded by Council Member Avalos.

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

V. Public Hearings

3. Resolution Approving The Disposition Development Agreement With 5821 Firestone Boulevard, LLC Will Be Continued

The City Council opened the Public Hearing and unanimously continued consideration of adopting a resolution approving the proposed Disposition and Development Agreement for the sale and development of the property located at 5821 Firestone Boulevard, to the August 25, 2020 City Council meeting by motion of Vice Mayor Rios and seconded by Council Member Hurtado.

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

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.

After the Public Hearing the Mayor allowed Mr. John Montalvo to speak as he was inadvertently missed during the Public Hearing.

John Montalvo asked if there are development plans for the property.

The Mayor responded that there are currently no plans for the property.

4. Resolution Applying A 3.36% Rate Increase For Residential Refuse Collection And Recycling Services

The City Council conducted a Public Hearing to consider adopting a Resolution amending Resolution No. 7872 (Schedule of Fees) to apply a 3.36% rate increase to the residential refuse collection and recycling services for Fiscal Year 2020/21, retroactively effective July 1, 2020.

This item was unanimously continued to the next City Council meeting by motion of Mayor Davila and seconded by Council Member Hurtado.

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

Mike Flad, City Manager gave a brief presentation on this item. The City Manager explained that at the request of City Council, staff went back to Waste Management to

see if they would consider not receiving a rate increase due to current events. Waste Management is willing to consider the request but would like some more time to review the proposal. City Staff is recommending to continue this item until the next meeting.

Mayor Davila opened the public hearing and asked if anyone in the audience wishes to speak on this item.

Virginia Johnson personally does not have a problem with the rate increase. She has heard that when a trash receptacle is being replaced, it is replaced with a smaller unit. She stated that the public hearing notice was published in the WAVE but with both City Hall and the Library being closed no one gets the paper.

John Montalvo spoke on the increase in rates for not only trash but for most of the utilities. He also stated that the WAVE will be going digital so we can have access to the public notices online.

Sharon Shapiro–Fox from Waste Management did state that they are willing to have a conversation with the City about the increase.

5. Resolution Approving The 2020-2025 Consolidated Plan; Annual Action Plan; Analysis Of Impediments To Fair Housing Choice; And Citizen Participation Plan Will Be Continued

The City Council opened the Public Hearing and unanimously continued consideration of adopting a Resolution approving the 2020 2025 Consolidated Plan; the Annual Action Plan for Fiscal Year 2020/21; the 2020 Analysis of Impediments to Fair Housing Choice; and the Citizen Participation Plan to the regularly scheduled City Council meeting of August 25, 2020 by motion of Mayor Davila and seconded by Council Member Hurtado.

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

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.

VI. Comments From The Audience

Virginia Johnson, thanked the Community Development Department for keeping the residents informed on the homeless housing project on Garfield Avenue.

Adolfo Varas thanked everyone that helped him to deliver food to people in need. He spoke on the records request process and the lack of response from the City Clerk's Office regarding his request for email records.

Chris spoke on reallocating general funds to other budgets and defund the Police Department.

Veronica is in support of reallocating general funds to other budgets and defund the Police

Department.

Thomas Buckley stated that the dial in options for the meeting have changed and is hoping for clearer directions for future meetings. He commented on the behavior of South Gate Commissioners and lack of City Council oversight for contempt and mayhem.

John Montalvo read a statement that was written by Council Member Hurtado regarding COVID-19 and the closing of all City Parks. Mr. Montalvo questioned if the park is closed why are some Council Members having press conferences there and some participants were not following the safety guidelines. He commented on JAA and the refund process because of COVID-19 and that he sent an email to the City Council regarding funding and allocating \$500,000 to community needs.

Mr. Fraire spoke in support of defunding the Police Department.

Candice Esquivel commented on the behavior of South Gate Commissioners and lack of City Council oversight.

Alberto spoke in support of defunding the Police Department.

Cindy Esquivel, spoke about the need for a dog park near South Gate Park.

Mayra Mendez is tired of the arguing between Council Members. She commented on the behavior of Council Member Diaz and the accusations she has made. If her statements were accurate why would Univision pull the story? She has also made a request regarding the emails of Council Member Diaz.

Brigette Ramirez commented on the behavior of the Council Members and Commissioners. She stated that too much time is being wasted during Council meetings just so people can come online and attack each other.

Alice spoke in support of the South Gate Police Department.

Aaron suggested have a virtual town hall meeting to discuss funding for the Police Department.

Edgar spoke in support of defunding the Police Department and his disappointment in the City Council and the lack of support for the community.

Jovanna Laborin thanked members of the community for their support for the community food drives. She also commented on the behavior of the Council Members, Commissioners, and residents on Social Media.

Luz lack of response from the Mayor during the COVID-19 outbreak.

Joe spoke in support of the South Gate Police Department and the City Council.

Claudia Hugar spoke in support of Mayor Davila and how she is being attacked by Council Member Diaz.

Carmen Avalos, City Clerk read into the record the comments of John Montalvo regarding funding programs that would assist residents suffering from the effects of COVID-19.

City Clerk Avalos read into the record the comments of Susie Daria about the needs of the community during the COVID-19 outbreak.

City Clerk Avalos read into the record the comments of April regarding the actions of Mr. Montalvo and Council Member Diaz.

VII. Reports And Comments From City Officials

Steve Costly, Acting Parks and Recreation Director reported on the COVID-19 testing center at South Gate Park.

Joe Perez, Community Development Director reported that Los Angeles County have offered a rent relief program for residents of the City of South Gate and other LA County residents. The application period begins August 17, 2020, and ends August 31, 2020, and there is a link on the Cities website.

Mike Flad, City Manager reported that 1,140 people in LA County tested positive for COVID within the last 24 hours and another 63 people passed away. South Gates cumulative total is 3,688 positive and 55 residents have passed away. He thanked all the essential workers in the City.

Raul Salinas, City Attorney commented on a few issues that were brought up during public comments. First being why do we not cut off attacks on individuals and Council Members.

The City has limited rights in restricting the opinions made during public comments. Our policy is to limit comments to five minutes and have the speaker address their comments specifically to the City Council. There was also a comment about emails and the production of the emails. This is a very recent event and that a few years ago case law said that emails that are sent to and from a City Council Member are public records under the Brown Act but there are limitations. This limitation is that the email must pertain to the business of the City. We do have employees that make sure we are responsive to the Public Records Act requests.

Carmen Avalos updated everyone on the upcoming elections. The County of Los Angeles will be sending out a ballot to every single registered voter in the City of South Gate. We will have a 24-hour drop-off box that will be located at Long Beach Boulevard and Southern Avenue. Residents can mail it back, however, the County is looking at possibly having a vote center in the City of South Gate.

Council Member Avalos agrees that we need to have a meeting among Council Members so we are able to provide quality leadership. She announced that there will be a food giveaway hosted by the South Gate Chamber of Commerce on August 21st and the first 200 students will be receiving backpacks. She requested that Mr. Costley see if there is any way to open the Auditorium or Girls Clubhouse in the fall to assist college students that are beginning their online classes. She wants to see if we can designate this space for our youth to come, set up a computer and take their classes.

Council Member Diaz spoke about a new idea called a Pandemic Pod or Academic Learning Center. Local cities are opening up their large Auditoriums and/or Senior Centers with the required safety regulations. These locations provide free Wi-Fi and

space where students can do their homework. She would like staff to look at the opportunity to bring this to our community. Council Member Diaz asked Mr. Costley if he could respond to her request of ways to provide public transportation to residents without access to vehicles for testing and food drives.

Mr. Costly responded that we are hoping to have a program up and running at the end of the week. Staff would be working with our local Fiesta Taxi Group to provide transportation to anyone that has an appointment to the testing facility.

Lastly, Council Member Diaz spoke on being a young Latina woman in politics and the challenges she faces. She hopes that the Council Members can get over their differences to work together.

Council Member Hurtado apologized to staff for all the political differences that are currently going on within the City. A Council that cannot function cannot bring resources to the City. He spoke about the recent conflict between councilmembers and that he hopes that the meeting scheduled for next week can happen. Council Member Hurtado spoke on the effects of COVID-19 for South Gate and he asked all his supporters to stop the attacks. We cannot control what the other side does but we can take ownership of our own actions.

Council Member Hurtado received a request from one of the City's Senior Citizens asking about the pool and that this is the only way that they can exercise. He asked staff if there is any way to bring some type of program to the seniors that would safely provide exercise.

Vice Mayor Rios is in support of looking into the possibility of learning pods and is willing to meet with members of the public regarding the budget concerns of the community. He spoke about the voting process at the upcoming election and that the Census will be shortened by a month ending in September. Metro will be rerouting some of the bus routes for the County and the fee structure is also being reviewed. Both the Council and public need to come together because we need to keep moving the City forward.

Mayor Davila stated that she attended several meetings. She met with LAUSD and their Directors. LAUSD informed her that all students have been provided with Chromebooks and Wi-Fi connections. For the Gateway Cities Meeting they sent a letter of support to see if they can extend the due date for the census. She thanked the Community Development Department for their work on the census. She also thanked Carmen Avalos, City Clerk for looking out for our City for the upcoming election. She thanked everyone for their hard work providing food for the residents.

Mayor Davila spoke on the rights of the public and City Council to comment at the City Council Meetings. She wants to focus on the issues that are important to the City not the comments on social media. We need to move forward and work together to make sure our residents come first.

VIII. Consent Calendar Items

Agenda Items 9, 10, 11, 13, 14 and 15 were approved by motion of Mayor Davila and seconded by Vice Mayor Rios. Items 6 and 12 were pulled for separate discussion.

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

6. Community Development Block Grant Subrecipient Agreements For Fiscal Year 2020/21

The City Council considered:

a. Approving the Community Development Block Grant (CDBG) Program Subrecipient Agreements for Fiscal Year 2020/21, retroactively effective July 1, 2020, with:

1. The Fair Housing Foundation in the amount of \$24,000;
2. Southern California Rehabilitation Services in the amount of \$8,000;
3. The Salvation Army, DBA The Salvation Army Western Territory in the amount of \$22,500;
4. Helpline Youth Counseling in the amount of \$22,500;
5. The Tweedy Mile Association for a total amount of \$60,000; each of the ten participating businesses will receive a \$6,000 grant for exterior improvements; and

b. Authorizing the Mayor to execute the Agreements in a form acceptable to the City Attorney.

This item was continued to the next City Council Meeting by motion of Mayor Davila and seconded by Council Member Avalos.

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

7. This Item Was Removed From The Agenda.

8. This Item Was Removed From The Agenda.

9. Amendment No. 1 To Contract No. 3341 With John L. Hunter & Associates, Inc., For NPDES Program Management Services

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

a. Approved Amendment No. 1 to Contract No. 3341 with John L. Hunter and Associates, Inc., extending management services of the National Pollutant Discharge Elimination System Program for an additional two-year term, retroactively effective July 1, 2020, in an additional amount not to exceed \$116,335; and

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

10. Amendment No. 2 To Contract No. 3243 With West Coast Arborist, Inc., Extending Tree Maintenance Services For An Additional Year

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

a. Approved Amendment No. 2 to Contract No. 3243 with West Coast Arborist, Inc., extending Citywide Tree Maintenance Services, for an additional one-year term, through July 31, 2021, for an amount not-to-exceed \$522,468; and

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

11. Amendment No. 1 To Contract No. 3410 With Parkwood Landscape Maintenance, Inc., For Additional Landscape Maintenance Services

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

a. Approved Amendment No. 1 to Contract No. 3410 with Parkwood Landscape Maintenance, Inc., extending landscaping maintenance services through June 30, 2021, and adding additional landscaping maintenance services for the new landscape and irrigation systems installed on the Firestone Boulevard medians, for an amount not-to-exceed \$172,885;

b. Appropriated \$69,000 in Measure R Funds to Account No. 224-780-31-6101 (Measure R - Professional Services) to cover the cost for the additional landscaping maintenance services; and

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

12. Investment Report For Quarter Ended December 31, 2019

The City Council unanimously received and filed the Quarterly Investment Report for the quarter ended December 31, 2019 by motion of Vice Mayor Rios and seconded by Mayor Davila.

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

13. Investment Report For Quarter Ended March 31, 2020

The City Council unanimously received and filed the Quarterly Investment Report for the quarter ended March 31, 2020 during Consent Calendar.

14. Purchase Order For A Large Area Mower For The Parks & Recreation Department

The City Council unanimously authorized the issuance of a Purchase Order with Turf Star Western for the purchase of a Toro Grounds Master model 5910, large area rotary mower for the Parks & Recreation Department in the total amount of \$128,882.47 during Consent Calendar.

15. Minutes

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

IX. Reports, Recommendations And Requests

16. Status Report Regarding Inclusionary Housing Ordinance

The City Council unanimously approved A and B by motion of Mayor Davila and seconded by Vice Mayor Rios.

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

a. Received and filed a report of the recommended inclusionary housing ordinance policy; and

b. Provided direction to staff.

17. Warrants

The City Council unanimously approved A and B with the exception of Warrant #89600 by motion of Council Auditor and seconded by Mayor Davila.

a. Approved Check Nos. 89415, 89420, 89428 and 89450 from July 28, 2020; and

b. Approved the Warrant register for August 11, 2020.

Total of Checks: \$11,498,214.24

Voids: (\$ 420,662.14)

Total Payroll Deductions (FY 2020/21) (\$ 355,059.20)

Grand Total: \$10,722,492.90

Cancellations: 88922, 89390

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

Council Member Avalos recognized Johanna Monterroza, South Gate Police Department for working towards a higher education.

X. Adjournment

Mayor Davila unanimously adjourned the meeting at 10:06 p.m. and seconded by Council Member Avalos.

PASSED and APPROVED this 25th day of August 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