

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, DECEMBER 11, 2018**

CALL TO ORDER Mayor María Belén Bernal called a Regular City Council meeting to order at 6:30 p.m.

INVOCATION Pastor Anthony Kidd, of Community of Faith Bible Church

PLEDGE OF ALLEGIANCE Michael Flad, City Manager

ROLL CALL Carmen Avalos, City Clerk

PRESENT Mayor María Belén Bernal, Vice Mayor Jorge Morales, Council Member Denise Diaz, Council Member Maria Davila, and Council Member Al Rios; City Treasurer Greg Martinez, Assistant City Manager Michael Flad, City Attorney Raul Salinas

ABSENT Vice Mayor Jorge Morales

LATE Carmen Avalos arrived at the dais at 7:50 p.m.

1
TITLE 2 The City Council conducted a Public Hearing and approved A and B by motion of Council Member Davila and seconded by Mayor Bernal. All four members of the City Council present voted in the affirmative and no one abstained from the vote. Vice Mayor Morales was absent.

- a. Determined that the Interim Urgency Ordinance is exempt from the California Environmental Quality Act (“CEQA”) because it has no likelihood of causing a significant effect on the environment; and
- b. Waived the reading in full and adopted Interim Urgency Ordinance No. 2358 entitled – Ordinance of the City Council of the City of South Gate, California, amending certain sections and chapters of the South Gate Municipal Code pertaining to a sidewalk vending program in compliance with Senate Bill 946 (Lara).

Joe Perez, Director of Community Development gave a brief presentation on this item.

Mayor Bernal opened the Public Hearing and asked if anyone would like to speak on this item.

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1
TITLE 2
CONT'D

Owner of Freddy's Market, 3433 Tweedy Boulevard understands that this regulation is required by the State but he is concerned about the competition that this will bring his business. He is also concerned about the enforcement of the business license.

Virginia Johnson, 5751 McKinley Avenue stated that she wishes that the State would stop mandating laws that the City have no control over. This is really going to hurt local businesses.

Greg Martinez, 2603 Ohio Avenue is also concerned about the small businesses.

Mayor Bernal asked about the implementation of this program will progress.

Mr. Perez stated that this will be an ongoing process as we see how the vendors will respond to the program. There is nothing to stop us in the future to make changes as the program continues.

Mayor Bernal asked if we are prohibiting vendors from going on large streets then do we anticipate them going on residential streets.

Mr. Perez stated that in exclusively residentially zoned areas mobile carts are allowed. Stationary carts are prohibited in exclusively residential areas.

Council Member Davila is concerned about how this program will affect the safety of the children and believes that this is a bad idea.

2
CITY SEAL

The City Council opened the public hearing, took public testimony concerning the proposed Ordinance amending certain Sections of the South Gate Municipal Code regarding use of the City Seal, and was continued to the regularly scheduled City Council meeting of January 22, 2019.

3
CITY FEES

The City Council conducted a Public Hearing and adopted Resolution No. 7838 entitled – Resolution of the City Council of the City of South Gate, California, amending Resolution No. 7668 (Schedule of Fees), to establish new business license and permit fees for Sidewalk Vending Businesses for Fiscal Year 2018/19 by motion of Council Member Davila and seconded by Mayor Bernal.

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3

CITY FEES

Mayor Bernal opened the Public Hearing and asked if anyone would like to speak on this item. Seeing no one come forward Mayor Bernal closed the Public Hearing.

Mayor Bernal asked about the Christmas Parade and the street vendors that were at the event.

Randy Davis, Chief of Police responded that there were citations issued and will provide a report to Council.

Mike Flad, City Manager stated that both he and Mr. Perez walked the parade route and that the City's Code Enforcement Officers were making the vendors aware of the new permit process.

Council Member Rios asked if when the fees were decided on did we compare with other Cities.

Mr. Flad responded that we did an internal study to attempt to access how much staff time would be spent to issue the permit and to follow up on the enforcement of that permit. That will be refined during the next budget process.

Council Member Diaz asked what the cost of the citation will be for the vendor.

Mr. Perez responded that if the vendor is operating without a permit the fine is \$250.00 for the first violation, \$500.00 for the second violation and \$1,000.00 for the third violation. If they are violating a regulation it ranges from \$100.00 for the first violation, \$200.00 for the second violation and \$300.00 for the third violation. This is part of the state mandate.

Greg Martinez, City Treasurer asked how the boundaries will be enforced for the Tweedy Mile Street Fair.

Mr. Perez stated that this is not defined in the ordinance however we would be looking at the commercial edge of Tweedy Boulevard.

4

TITLE 11

The City Council conducted a Public Hearing to consider adopting Resolution No. 7839 entitled – Resolution of the City Council of the City of South Gate, California, approving Lot Merger 2018-01 at 5949 and 5951 Firestone Boulevard for development of a three-story public storage facility with offices and associated parking by motion of Mayor Bernal and seconded by Council Member Rios. Vice Mayor Morales was absent.

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TITLE 11

Joe Perez, Director of Community Development gave a brief report on this item.

Mayor Bernal opened the Public Hearing and asked if anyone would like to speak on this item. Seeing no one come forward Mayor Bernal closed the Public Hearing.

Mayor Bernal asked if the owner has met all the environmental requirements.

Mr. Perez responded that they did and that they qualify for an exemption because it is a minor land division. In addition the Public Works Department has reviewed the map to make sure that it meets City standards, which it does. The Planning Commission has also reviewed this item and is recommending the merger.

Mayor Bernal asked if there were any safety concerns.

Mr. Perez responded that they looked at this but didn't find any concerns.

COMMENTS FROM THE AUDIENCE

Virginia Johnson, 5751 McKinley Avenue wished everyone a Merry Christmas and a Happy New Year.

Art Alvarez, 5305 Aldrich Road is concerned about the abandoned building behind his house at 10130 Adella Avenue. Over the last 6 months he has had concerns with Edison maintaining the alley and now there are several transients living in the building.

Maria Delgado, 5301 Aldrich Road is also concerned with the property at 10130 Adella Avenue.

Randy Davis, Chief of Police stated the both he and Mr. Perez will reach out to the property owner and will have officers monitor this area until development begins.

Renee Montoya, 10211 California Avenue is concerned about the multiple car accidents that happen in this area.

Melvin Rivera, 5282 Aldrich Road is concerned with the property at 10130 Adella Avenue and he said that there are also cars that are speeding through that alley.

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REPORTS AND COMMENTS

FROM CITY OFFICIALS

Joe Perez, Community Development Director reminded everyone that on December 15th at 6:00 p.m. there will be a community meeting to talk about the former American Legion Site at the South Gate Park Auditorium.

Randy Davis, Chief of Police reminded everyone that the Police Management Association has their annual Police Navidad toy giveaway in front of City Hall this Thursday at 6:00 p.m.

Jackie Acosta, Administrative Services Director reminded everyone that also this Thursday at 5:00 p.m. will be the annual Holiday Social.

Greg Martinez, City Treasurer wished everyone a Merry Christmas and a safe Happy New Year. He also stated that there will be a toy giveaway on San Gabriel Avenue and Tweedy Boulevard from 2 p.m. to 5 p.m. this Sunday sponsored by the Tweedy Mile.

Council Member Diaz congratulated the Chamber of Commerce for a successful Christmas Parade. She attended a ride along with HSA for their meal on wheels program. She feels that we need more support for the Senior Citizens of our community. She spoke on the safety near the riverbed and the different homeless encampment near that area. She used to run in this area but feels that it is no longer safe in this part of the City.

Council Member Rios congratulated the Police Department and the Chamber of Commerce for hosting great Christmas events with the Pageant of the Trees and the parade.

Council Member Davila also congratulated the Chamber of Commerce for such a great Christmas Parade. The Santa Cop is a great program and it was her honor to help. She agrees with Council Member Diaz and there is a need to help our Senior Citizens. We need to address the problem at 10130 Adella Avenue for the safety of the community. She also wished everyone a Merry Christmas.

Mayor Bernal stated that this year brought an appreciation to what it means to be Mayor. There is so much responsibility that goes with the title. There are so many others that don't have and there is so much that we can give. She is working with Montero Elementary School to bring a special event to the community in January.

Mayor Bernal attended the County Sanitation meeting. The Calababas Landfill was affected by the fires but was able to open five day after the fires. She is learning a lot about refuse and wants to look into green waste programs and how we are going to meet the state mandates.

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COMMENTS FROM THE AUDIENCE CONT

Mayor Bernal also served lunch to the seniors at the Senior Center in South Gate Park. She brought her father with her and feels that it would be good if we could figure out a program that would encourage our youth to work with our seniors to teach them about technology. She wished everyone a Merry Christmas and Happy 2019.

Carmen Avalos, City Clerk was able to swear in the new City Clerk of Hawthorne. During the past couple of weeks there have been a lot of new elected officials coming into office. A letter went out from the Register Recorder's Office stipulating our request to have our elections consolidated, it has been accepted and our next election will officially be March of 2020. South Gate is a community that you always have friends and thanked the residents for putting their trust in us as elected officials. She invited everyone to the swearing in of the Cerritos College Board on December 12th and wished everyone a Merry Christmas.

CONSENT CALENDAR

Agenda Items 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 were approved by motion of Mayor Bernal and seconded by Council Member Davila. Item 5 was pulled for discussion.

5 TITLE 11

The City Council waived the reading in full and adopted Ordinance No. 2355 entitled – Ordinance of the City Council of the City of South Gate, California, amending Table 11.51-1 (Application and Review Authority), Figure 11.51-1 (Administrative Permit Process), Figure 11.51-2 (Discretionary Permit Process A), Figure 11.51-3 (Discretionary Permit Process B), and adding Figure 11.51-4 (Discretionary Permit Process C), to Section 11.51.030 (Review Types and Responsibilities), of Chapter 11.51 (Permits and Procedures), of Title 11 (Zoning), of the South Gate Municipal Code by motion of Mayor Bernal and seconded by Council Member Davila.

6 TITLE 11

The City Council waived the reading and adopted Ordinance No. 2356 entitled – Ordinance of the City Council of the City of South Gate, California, amending Subsection A. 2. iii. (Method of Notice), of Section 11.50.020 (Public Hearing Notification), of Chapter 11.50 (Administration), of Title 11 (Zoning), of the South Gate Municipal Code to increase minimum radius distance requirements for public hearing notices from 300 feet to 1,000 feet during consent calendar.

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TITLE 2

The City Council waived further reading and adopted Ordinance No. 2357 entitled – Ordinance of the City Council of the City of South Gate, California, amending certain Sections and Chapters of the South Gate Municipal Code pertaining to a Sidewalk Vending Program in compliance with Senate Bill 946 (Lara) during consent calendar.

8

ENERGY

The City Council adopted Resolution No. 7840 entitled – Resolution of the City Council of the City of South Gate, California, declaring support for, and authorizing participation in, an energy partnership with Southern California Edison and the Southern California Gas Company, to be known as “Energy Partnership” to qualify the City for monetary and other incentives, from December 11, 2018 through December 11, 2023 during consent calendar.

9

PARKS FACILITIES

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

- a. Adopted Resolution No. 7841 entitled – Resolution of the City Council of the City of South Gate, California, dedicating an existing bench in the Mascaro Rose Garden at South Gate Park to Ellen Mascaro;
- b. Accepted a donation of up to \$1,000 from Ellen’s family to be deposited into Account Number 100-4904 (General Fund-Donations); and
- c. Appropriated the amount donated to Account Number 100-401-61-6202 (General Fund-Parks & Recreation-Special Department Supplies) to cover the costs of purchasing and installing a dedication plaque.

10

SALARY

The City Council adopted Resolution No. 7842 entitled – Resolution of the City Council of the City of South Gate, California, amending the Hourly Pay Table to conform to the minimum wage law effective January 1, 2019 during consent calendar.

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ADMIN SERVICES

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

- a. Approved Amendment No. 2 to Contract No. 3307 with MV Cheng & Associates extending as-needed accounting services through June 30, 2019, and increase the contract amount by \$100,000; and
- b. Appropriated \$75,000 from the unassigned fund balance of the General Fund to account number 100-301-12-6101 (General Fund-Administrative Services-Professional Services) to fund the costs associated with the extension of this agreement; and
- c. Authorized the Mayor to execute Amendment No. 2 in a form acceptable to the City Attorney.

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METRO

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

- a. Approved Amendment No. 4 to Contract No. 3081 with Willdan Engineering to reduce the scope of work of engineering and construction support services for the Firestone Boulevard Regional Corridor Capacity Enhancements project, Alameda Street to Hunt Avenue, City Project No. 476-TRF, for a net reduction of \$123,007; and
- b. Authorizing the Mayor to execute Amendment No. 4 in a form acceptable to the City Attorney.

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GRANT DEED

The City Council approved A and B during consent calendar.

- a. Accepted the Grant Deed from SeLA, LLC, doing business as KIPP Corazón Academy, to secure title to a two-foot strip of land along the eastern edge of the property located at 9325 Long Beach Boulevard for street purposes, at no cost to the City; and
- b. Authorized the Mayor to execute the Certificate of Acceptance in a form acceptable to the City Attorney.

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COUNCIL MTG

The City Council cancelled the regularly scheduled City Council meeting of Tuesday, December 25, 2018, in observation of City Hall closure for the holiday break during consent calendar.

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**15
WARRANTS**

The City Council authorized the City Council Auditor to review and approve the second warrant register in December 2018 during consent calendar.

**16
CITY COUNCIL**

The City Council considered approving City Council Goals for Fiscal Year 2018/19.

This item was continued to the City Council Meeting of January 22, 2019.

**17
PERSONNEL**

The City Council approved Item A and C by motion of Mayor Bernal and seconded by Council Member Davila.

- a. Filled the non-CalPERS hourly Clerical Assistant II position in the City Clerk's Office, as funded at \$16,520 in the FY 2018/19 General Fund budget.
- b. Creating a full-time City Hall Receptionist position to serve as a centralized point of welcome/assistance, at an annual cost of approximately \$60,000;
- c. Created a non-CalPERS hourly City Hall Receptionist position to serve as a centralized point of welcome/assistance, at an annual cost of approximately \$18,150.
- d. Creating a CalPERS hourly City Hall Receptionist position to serve as a centralized point of welcome/assistance, at an annual cost of approximately \$29,550;
- e. Creating a full-time City Hall Receptionist position to provide customer service at the Community Development/Public Works counter at an annual cost of approximately \$60,000;
- f. Providing any other direction the City Council deems appropriate.

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WARRANTS

The City Council approved the Warrants and Cancellations for December 11, 2018 by motion of Council Auditor Davila and seconded by Mayor Bernal.

Total of Checks:	\$1,558,570.57
Voids:	(\$ 3,279.00)
Total Payroll Deductions:	<u>\$ 375,338.90</u>
Grand Total:	\$1,179,952.67

Cancellations: 80224, 80404

ADJOURNMENT

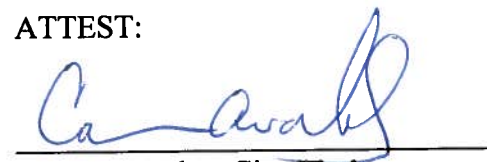
Mayor Bernal adjourned the meeting in memory of Nathan Mora at 8:36 p.m. seconded by Council Member Davila.

PASSED and APPROVED this 22nd day of January, 2019.



María Belén Bernal, Mayor

ATTEST:



Carmen Avalos, City Clerk