

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, JULY 28, 2020**

CALL TO ORDER Maria Davila, Mayor called a Regular City Council meeting to order at 6:30 p.m.

INVOCATION Chief Randy Davis, South Gate Police Department

PLEDGE OF ALLEGIANCE Michael Flad, City Manager

ROLL CALL Carmen Avalos, City Clerk

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

ABSENT Council Member Denise Diaz

1
REAL PROPERTY The City Council opened the Public Hearing and continued consideration of 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 11, 2020 City Council meeting.

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.

This item was continued to the City Council Meeting of August 11, 2020.

COMMENTS FROM THE AUDIENCE Virginia Johnson apologized to the City Clerk and never meant to suggest that the City Clerk was any less than professional in her handling of all the letters and speakers. She also spoke on the fact that Council Member Avalos is allowed to vote on the budget including the City Clerk's Department. Which she thinks should be a conflict of interest. She doesn't appreciate being threatened by Maria Estrada who sent her a letter threatening a law suit.

Claudia thanked the Mayor and the City for helping the residents during the time of COVID-19.

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COMMENTS FROM

THE AUDIENCE CONT'D

OS Ryan spoke in support of the Mayor, the City Council, and the Police Department for their leadership.

Amanda Tapia spoke about the lack of change to the budget during the Special City Council Meeting of July 21st. She wants to know when the City will be holding the Budget Subcommittee meetings since the City failed in providing the information last time and believes it was not provided within the proper posting time frame according to the Brown Act. She also stated that she researched the guidelines for FEMA reimbursement and could not find food listed as a reimbursable expense. She is happy to see the testing center open but wants to see the demands of defunding the Police be met.

Albert, 4149 Tweedy Boulevard spoke in support of defunding the Police Department and reevaluate the budget.

Thomas Buckley, said that the City needs to raise the services for our digital meetings.

Carmen Avalos, responded that the City has updated the infrastructure for Zoom and we can accept as many as 500 participants.

Joe Strummer, spoke in support of the Police Department.

Santanio Hernandez, spoke in support of the Police Department.

Art Alvarez, Aldrich Road, spoke in support of the Police Department.

Cynthia Esquivel, 4718 Tweedy, spoke on matters regarding the JAA that were brought up at the Special City Council Meeting and payments from partner organizations for facility rentals.

Candice Esquivel, spoke on allocations made by Mr. Montalvo against Mr. Hurtado.

Albert spoke in support of defunding the Police Department and would like to see the money be used in ways to help the residents including a mask distribution for residents.

Andrea Paulino spoke against defunding the Police Department and warns the City Council against listening to Amanda Tapia.

Edgar spoke in support of defunding the Police Department.

Natalie spoke in support of defunding the Police Department and allocate the funds to programs that benefit the community.

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COMMENTS FROM THE AUDIENCE CONT'D

Alberto spoke in support of defunding the Police Department and feels that the City Council should not allow speakers to personalize their comments towards other individuals during these meetings.

Susan Janer, spoke on the development of an apartment building near Legacy High School and is in support of the Police Department.

Veronica is against the money that was spent by the Police Department on food to feed officers. Even if the money is reimbursable by FEMA she believes it is not a justified purchase when we need more food drives.

Jovanna Laborin, 3372 Seminole received a copy of a public document that was sent to the Governor dated in June and signed by Denise Diaz as Vice Mayor. Ms. Laborin asked if this is acceptable considering that Mr. Rios is Vice Mayor. She also spoke about attacks on social media and Council Members being blamed for her actions.

Yesenia Martinez spoke in support of defunding the Police Department and the charges made by the Police Department for food. She would like to know what type of controls and procedures are in place to make sure no fraud is committed in regards to the use of the credit cards, what steps are being taken to negotiate operating costs and what fiscal responsibility does the Mayor and Council have to the people?

Brigette Ramirez agrees that the City Council should not allow speakers to personalize their comments towards other individuals during these meetings. Commissioners are representatives of the City Council and they should be held accountable for their behavior.

Alice Cueto spoke in support of the Police Department.

Natasha Dominguez asked why in the middle of a pandemic is the Police Department receiving 50% of the City's funds. These funds need to be used to help businesses and residents.

Karla Franco spoke about comments being made about the Mayor and on social media.

Bobbie Thompson spoke in support of the Mayor and the Police Department. She also spoke about the lack of parking in her area.

Adolfo Varas spoke about the process of getting a public record from the City. Over a month ago he requested city emails and he understands that some records are excluded but when it comes to an elected official that has an assigned city email this is open to request.

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COMMENTS FROM THE AUDIENCE CONT'D

Currently, Mr. Varas has not received any emails and he blames Council Member Diaz for the lack of response on his request.

Rose spoke about comments being made about public officials.

Aaron Ruiz spoke in support of defunding the Police Department and reapplying these funds to other City programs.

Mr. Fraire spoke on the homeless issues within the City.

John Montalvo, 9815 Virginia Avenue, spoke about the political harassment of City Councilmembers, City Commissioners and residents.

Maria Estrada spoke about the homeless problem within the City. She is against the food charges by staff and believes that this money should have been used for food banks. She also spoke about the political conduct of the City Council Members.

Christian is in support of defunding the Police Department.

Carmen Avalos, City Clerk read into the record the comments received from Joshua Barron with regards to the SGJAA.

Carmen Avalos, City Clerk read into the record the comments received from Lourdes Avalos acknowledging the exceptional work the City Clerk and her staff are doing.

Carmen Avalos, City Clerk read into the record the comments received from Andrea Paulino regarding the City Attorney's definition of immediate family as defined by the FPPC and rules of the decorum for the City Council Meetings.

Carmen Avalos, City Clerk read into the record the comments received from the South Gate Municipal Employee's Association and the South Gate Professional Mid-Management Association in support of South Gate Employees.

Carmen Avalos, City Clerk read into the record the comments received from Sofia Ryan in support of the South Gate Police Department and the current state of affairs within LAUSD schools.

Carmen Avalos, City Clerk read into the record the comments received from Suzanne Darias and Elizabeth Rodriguez in support of the South Gate Police Department.

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REPORTS AND COMMENTS

FROM CITY OFFICIALS Mike Flad, City Manager briefly responded to a few of the Public Comments made during the meeting.

Steve Costley, Acting Parks and Recreation Director reported that the COVID-19 testing site has opened at South Gate Park on Monday. The hours are from 9:00 a.m. to 3:00 p.m. The current contract is for 90 days but could be extended if needed.

Joe Perez, Community Development Director stated that there will be a free COVID-19 legal webinar for small businesses on Friday, July 31st. The City is continuing to promote the Census and get the word out to the community. This week is LA County Census week and the City is participating by putting up a mobile kiosk at various City locations. Also, there is a 12-city caravan and the City is participating with the caravan. One of the stops will be at the azalea shopping center.

Raul F. Salinas, City Attorney briefly responded to a few of the Public Comments made during the meeting.

Carmen Avalos, City Clerk stated that Los Angeles County Register Recorders Office has sent out postcards updating voter information. If there are no changes you do not need to return the card. The next election will be all vote by mail with the availability of vote centers.

Greg Martinez, City Treasurer spoke on the homeless situation in the City of South Gate and the surrounding area. We need to advocate with our State Representatives for more assistance.

Council Member Avalos announced that there is a food bank at the American Legion coming on Friday, July 25th. She encouraged everyone to wear their masks, wash or sanitize your hands because COVID is still out there. We all need to support one another to get through this and stop these attacks.

Council Member Avalos asked the City Manager if he had the current numbers for South Gate.

Mr. Flad responded that there are 3,131 confirmed positive number of cases and deaths are 46. The testing positive numbers continue to climb at an alarming rate. If there is anything positive is that our death numbers stay relatively constant but it is an unacceptable rate of growth in term of the positive testing. Los Angeles County wide is now at 178,000 positive and 4,400 deaths. Los Angeles county is very much the epicenter of the state.

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REPORTS AND COMMENTS

FROM CITY OFFICIALS

Council Member Hurtado warned people against large gatherings and some people who don't think these issues are real. He has lost two family members to COVID-19. He knows that people have a difference of opinions but we need to respect each other and stop attacking each other.

Council Member Hurtado shared that the post office is considering directing employees to work only eight hours in an effort to cut overtime. If they don't finish their routes, they bring the mail in and start deliveries where they left off the next day. He doesn't know how serious the new post office general is with this practice but it is a message that was passed along to the various offices.

Vice Mayor Rios thanked staff for their hard work and the programs we are able to provide. Through HUB Cities 81 South Gate residents have received at least \$2,000 for rental assistance, food and security. A total of \$162,000 was allocated to immigrant residents in the South East area. We have challenges moving ahead but he believes that we have a team between City Council and Staff that can do some good things.

Mayor Davila thanked everyone for calling in and she takes everyone's comments seriously. We are living in very challenging times and we need to work together to get through this together. She encouraged everyone to get tested. She congratulated Ed, who was promoted to Sergeant and was honored to be invited to his promotion. Mayor Davila stated that the last thing she would do is defund the Police. She is willing to look and work to lower the budget but not at the cost of safety for the City. We need to work together and keep everyone safe.

CONSENT CALENDAR

Agenda Items 5, 6, 7, and 8 were approved by motion of Mayor Davila and seconded by Council Member Hurtado. Items 2, 3 and 4 were pulled for separate discussion.

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

² COMMUNITY PROMOTION

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

- a. Approved Amendment No. 2 to Contract No. 3562 with Tripepi Smith and Associates, Inc., for additional Marketing and Economic Development Design Support Services on an as-needed basis, in the amount of \$10,000;

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COMMUNITY
PROMOTION CONT'D

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

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes, Council Member Hurtado, yes; Council Member Avalos, no; Council Member Diaz, Absent.

3
BUILDING PLAN
CHECK SERVICES

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

- a. Approved Amendment No. 1 to Contract No. 3360 Interwest Consulting Group to continue providing plan check and building inspection services for an additional two-year term, in an amount not to exceed \$500,000, or \$250,000 annually; and
- b. Authorized the Mayor to execute Amendment No. 1 in a form acceptable to the City Attorney.

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

4
PARKING & TRAFFIC

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

Amendment: Approve contract for a one-year term and bring a report back to City Council on the cost of hiring an in-house engineer.

- a. Approved an Agreement (Contract No. 2020-65-CC) with Kimley-Horn and Associates, Inc., to provide traffic engineering and staff augmentation services for a one-year term with an option for a one-year extension, for an annual amount not to exceed \$105,000; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes, Council Member Hurtado, yes; Council Member Avalos, no; Council Member Diaz, Absent.

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WATER ISSUES

The City Council approved A and B during Consent Calendar

- a. Approved an Agreement (Contract No. 2020-66-CC) with AARC Consultants, LLC, to perform a Risk and Resilience Assessment of the City's municipal water system and update the Emergency Response Plan to comply with America's Water Infrastructure Act of 2018, for an amount not to exceed \$121,085; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

6

REAL PROPERTY

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

- a. Approved Amendment No. 1 to Contract No. 2020-49-AC with KOA Corporation for additional construction inspection services through the completion of construction of the 10920 Garfield Avenue Street and Water Utilities Improvement Project, in an amount not-to-exceed \$30,000;
- b. Appropriated \$60,000 from the unassigned General Fund balance to Account No. 100-701-31-6106 (General Fund - Public Works Engineering - New Development Services) to fund the cost of this contract; and
- c. Authorized the Mayor to execute Amendment No. 1 in a form acceptable to the City Attorney.

7

COMPUTER SERVICES

The City Council approved A and B during Consent Calendar.

- a. Approved Microsoft Enterprise License Agreement with SHI for Microsoft Office 365, a cloud-based electronic mail system, for a three-year term, in the amount of \$218,442, or \$72,814 annually; and
- b. Authorized the issuance of a Purchase Order to SHI for the purchase of this 3-year Microsoft Enterprise License Agreement.

8

MINUTES

The City Council approved the Regular and Special Meeting minutes of July 14th, 2020 during Consent Calendar.

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9

CITY MEMBERSHIP

The City Council approved an annual membership with the Government Alliance on Race and Equity organization to advance racial justice and equity in the community, in the amount of \$1,000 by motion of Mayor Davila and seconded by Council Member Avalos.

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

10

POLICE

The City Council received and filed a status report on the body-worn camera program for South Gate Police Officers were approved by motion of Mayor Davila and seconded by Vice Mayor Rios.

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

**DEVIATE FROM
THE AGENDA**

At this time, there being no objections, Mayor Davila allowed the City Attorney to introduce Victor Lopez Martinez who will be helping the City Attorney's Office with an Ordinance Projects. He is a second year law student who was introduced to the City Attorney by Council Member Diaz.

**DEVIATE FROM
THE AGENDA**

At this time, there being no objections, Mayor Davila allowed Item 4 to be brought back at this time to hear Public Comments for Item 4.

11

HOUSING

The City Council considered:

- a. Receiving and filing status report of the recommended Inclusionary Housing Ordinance policy; and
- b. Providing direction to staff.

This item was continued to the City Council Meeting of August 11, 2020 by motion of Mayor Davila and seconded by Vice Mayor Rios.

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

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WARRANTS

The City Council approved A, B, and C with the exception of Warrants 89420, 89415, 89450, and 89428 by motion of City Auditor Avalos and seconded by Mayor Davila.

- a. Ratified the warrant register from July 14, 2020 for Fiscal Year 2020/21;
- b. Approved Check Nos. 89157, 89186 and 89299 from July 14, 2020; and
- c. Approved the Warrant register for July 28, 2020.

Total of Checks:	\$2,730,364.18
Voids:	\$ 0.00
Total Payroll Deductions (FY 2019/20):	\$ 3,820.14
Total Payroll Deductions (FY 2020/21)	<u>\$ 339,580.92</u>
Grand Total:	\$2,386,963.12

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

DEVIATE FROM THE AGENDA

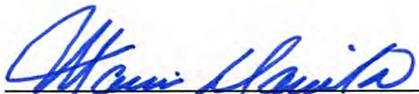
At this time, there being no objections, Mayor Davila allowed Council Member Avalos to give an educational recognition to Leslie Medina, Code Enforcement and Kasandra Mackey, Administrative Services.

ADJOURNMENT

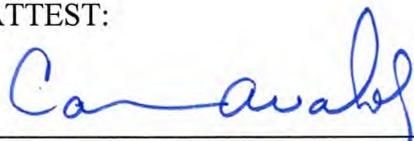
Mayor Davila adjourned the meeting in Memory of Gabriela Garcia O'Donell, Mother of Mayor Robert Garcia, Gregorio Cruz, Family Member of Council Member Hurtado, Jose Gutierrez and Petra Abalea Adane, Family Members of Council Member Avalos at 11:15 p.m. and seconded by Council Member Avalos.

PASSED and **APPROVED** this 25th day of August 2020.

ATTEST:



 Maria Davila, Mayor



 Carmen Avalos, City Clerk