

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, MAY 9, 2017**

CALL TO ORDER Mayor Maria Davila Witt called a Regular City Council meeting to order at 6:32 p.m.

INVOCATION Pastor Sean Pica, Redeemer Lutheran Church led the Invocation.

PLEDGE OF ALLEGIANCE 5th Grade Students, San Miguel Elementary led the Pledge of Allegiance.

ROLL CALL Carmen Avalos, City Clerk

PRESENT Mayor Maria Davila, Vice Mayor Maria Belen Bernal, Council Member Denise Dias, Council Member Jorge Morales and Council Member Al Rios; City Treasurer Gregory Martinez, City Manager Mike Flad, City Attorney Raul F. Salinas

**1
CERTIFICATES OF APPRECIATION** The City Council presented Certificates of Appreciation to the 5th Grade students from San Miguel Elementary School for their achievement in winning the 2017 Los Angeles Clippers Story Book Challenge.

**2
CITY COUNCIL APPOINTMENTS** Susan F. Janer, Benny Nuñez, and Juliano Holguin were unanimously appointed to the Citizens Advisory Committee by motion of Council Member Rios and seconded by Mayor Davila.

**3
SCHOOLS/EDUCATION** The City Council considered allowing representatives and students from East LA Classic Theater to thank the City Council for this year's funding for the Language In Play programs in South Gate schools.

Item 3 was unanimously continued to the City Council meeting of May 23, 2017.

DEVIATE FROM THE AGENDA At this time, there being no objections, Mayor Davila stated that item 14 would be considered out of its regular agenda order.

**14
WASTEWATER MGMT** The City Council unanimously received and filed a presentation by the River and Mountains Conservancy on the progress of the development of the Lower Los Angeles River Revitalization Plan development, by motion of Council Member Morales and seconded by Vice Mayor Bernal.

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**4
STREETS/SIDEWALKS/
LANDSCAPING**

The City Council unanimously conducted a Public Hearing to adopt Resolution No. 7761 entitled – A Resolution of the City Council of the City of South Gate ordering the levy of the Fiscal Year 2017/18 Annual Assessment for the Street Lighting and Landscaping Maintenance District No. 1, by motion of Council Member Morales and seconded by Vice Mayor Bernal.

**5
SOLID WASTE MGMT**

The City Council unanimously conducted a Public Hearing to approve Amendment No. 2 to Contract No. 2222 with USA Waste of California, Inc., dba Waste Management of Los Angeles, for collection services and service rates of organic waste in compliance with Assembly Bill 1826, approved by motion of Mayor Davila and seconded by Council Member Morales; and

- a. Following the conclusion of the Public Hearing, adopting Resolution No. 7762 entitled - A Resolution of the City Council of the City of South Gate amending Resolution No. 7668 (Schedule of Fees), by adding this new fee for organic waste collection services; and
- b. Authorized the Mayor to execute Amendment No. 2 to Contract No. 2222 in a form acceptable to the City Attorney.

**6
BUDGET ADMIN**

The City Council unanimously conducted a public hearing to hear a presentation on the proposed FY 2017/18 Municipal Budget, by motion of Mayor Davila and seconded by Council Member Rios; and

- a. Hearing presentations from the Chief of Police and the Director of Parks & Recreation on their proposed FY 2017/18 departmental budgets; and
- b. Opened the Public Hearing, take public testimony, and continue or close the Public Hearing.

**EXCUSED FROM
MEETING**

At this time, 8:17 p.m., City Treasurer Martinez was excused from the meeting and departed from the Council Chambers.

RECESS

Prior to the conclusion of item 6, the City Council recessed at 8:52 p.m., and reconvened at 8:57 p.m., with all Members of Council present.

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PROPERTY USE ADMIN/PERMITS

The City Council unanimously conducted a Public Hearing to consider Sonsonate Grill's request for a special permit for entertainment, take public testimony and continue the public hearing to May 23, 2017, by motion of Mayor Davila and seconded by Council Member Rios.

COMMENTS FROM THE AUDIENCE

Hector Torres, 10347 Alexander Avenue and 4523 Tweedy Blvd., stated that his business was burglarized on April 30th and commended Chief Davis and the officers for locating fingerprints and evidence. He mentioned that last Thursday on the intersection of Alexander and Tenaya a bad traffic accident occurred and the police department took care of everything within an hour.

Nick Godoy, 8611 San Gabriel Avenue brought up some concerns that have been occurring on San Gabriel Avenue.

REPORTS AND COMMENTS FROM CITY OFFICIALS

Mayor Davila asked if any staff members have anything to report.

Joe Perez, Director of Community Development reminded everyone of the community meeting tomorrow evening regarding the Hollydale Village Specific Plan. He also mentioned the on-line city branding survey.

Carmen Avalos, City Clerk wished all moms a Happy Mother's Day.

Council Member Diaz stated attending a new Council training for the League of California Cities and commended City Manager and City Attorney for collaborating.

Council Member Morales thanked City staff for the Special City Council meeting it was very helpful.

Council Member Morales was in Sacramento yesterday morning for work related matters and utilized the opportunity to engage with the Speaker Rendon's office about AB 1250 (Contracting Bill).

Council Member Rios missed the newly elected council training and requested to receive a copy of the handouts.

Vice Mayor Bernal wished everyone a Happy Mother's Day. She thanked City staff for the retreat and attended the Multi-Cultural Women's Club "Dia del Niño" event.

Mayor Davila attended the Annual Summit for the Council of Governments last week in Palm Springs. She reminded everyone of the May 12th Health Fair at South Gate Park.

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CONSENT CALENDAR Agenda Items 8, 10 and 12 were unanimously approved by motion of Council Member Morales and seconded by Mayor Davila. Item 11 was pulled for separate discussion.

8
LICENSES & PERMITS The City Council unanimously waived the reading in full and adopted Ordinance No. 2337 entitled – An Ordinance of the City Council of the City of South Gate granting a ten-year franchise to Pacific Pipeline System, LLC, a Delaware limited liability company, to lay and use pipes, ditches, flumes, conduits and appurtenances for transmitting and distributing oil or oil products thereof, for any and all purposes in, along, across, upon and under the public streets, ways, alleys and places, as the same now or may hereafter exist, within the City of South Gate, during consideration of the Consent Calendar.

9
ITEM REMOVED FROM AGENDA Item was removed from the Agenda.

10
PARKS The City Council unanimously received and filing the South Gate Girls Club House Feasibility Study Draft Report for the renovation project, during consideration of the Consent Calendar; and

- a. Approved the Parks & Recreation Commission's recommendation and directed staff to proceed with Scheme 3 in the South Gate Girls Club House Feasibility Study Draft Report to demolish and build a two to three story facility; and
- b. Authorized the Director of Parks & Recreation to approve Change Order No. 1 for Contract No. 3292 with Lehrer Architecture in the amount of \$34,000 to include the Parks & Recreation Commission's recommendation for the programming study of the new facility.

11
DEVELOPMENT The City Council unanimously certified as accurate the Final Plan Report for the Tweedy Boulevard and Hollydale Village Specific Plans, by motion of Vice Mayor Bernal and seconded by Council Member Davila.

12
MINUTES The City Council unanimously approved the Joint Special Meeting minutes of January 17, 2017, during consideration of the Consent Calendar; and

- a. The Special and Regular Meeting minutes of April 11, 2017.

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ELECTION ADMIN

The City Council will consider deciding on the implementation of SB 415 pertaining to voter participation with either option listed below:

Option 1: Consolidation: Allowing for the implementation of SB 415 Statewide Election Cycle Consolidation which will take effect on January 1, 2018 and requires the adoption of an ordinance for election date change with notification to all voters; **OR**

Option 2: Stand-Alone: Continue with the current Stand-Alone Election which will require an ordinance for an extension of 4 years until 2022.

Mayor Davila requested that Item 13 unanimously be continued to the City Council meeting of July 11, 2017.

15

**PUBLIC TRANSPORTATION
SYSTEMS MANAGEMENT**

The City Council unanimously continued the consideration of receiving and filing a presentation by Mayor Maria Davila on the Eco-Rapid Transit Board Members' recent visit to China, to the City Council meeting of May 23, 2017.

16

**WARRANTS AND
CANCELLATIONS**

The City Council unanimously approved the Warrants and Cancellations for May 9, 2017, by motion of Council Member Auditor Bernal and seconded by Mayor Davila.

Total of Checks:	\$2,557,919.15
Voids	\$ (376.29)
Total of Payroll Deductions:	<u>\$ (274,178.82)</u>
Grand Total:	\$2,283,364.04

Cancellations: 67613, 68102, 68603, 68925, 69304, 70217

**RECONSIDERATION
OF ITEM 5**

At this time, there being no objections, Mayor Davila stated that item 5 would be re-considered.

5

SOLID WASTE MGMT

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SOLID WASTE MGMT
CONT'D

- a. Following the conclusion of the Public Hearing, adopting Resolution No. 7762 entitled - A Resolution of the City Council of the City of South Gate amending Resolution No. 7668 (Schedule of Fees), by adding this new fee for organic waste collection services; and
- b. Authorized the Mayor to execute Amendment No. 2 to Contract No. 2222 in a form acceptable to the City Attorney.

Raul F. Salinas, City Attorney stated that earlier City Council and City staff took a break in connection with this item before City Council voted the approval to clarify whether the City was granting Waste Management the exclusive right to haul the organic waste within the City of South Gate. It appears there is some ambiguity in the language of the contract.

City Attorney Salinas is asking City Council to make a motion to reconsider item 5, Amendment No. 2 to Contract No. 2222.

Mayor Davila motioned, Council Member Morales seconded to reopen the discussion of item 5.

ROLL CALL: Mayor Davila, yes; Vice Mayor Bernal, yes; Council Member Diaz, yes; Council Member Morales, yes; Council Member Rios, yes.

City Attorney Salinas stated that Waste Management is doing a fine job as the exclusive waste hauler in the City of South Gate, but there is language in Amendment No. 2 that makes reference to the exclusive franchise that Waste Management holds.

City Attorney Salinas is recommending a motion be made that the Second Amendment to Contract 2222 be approved provided that the agreement is interpreted, modified, and if necessary, redrafted to make clear that the amendment does not intend to provide an exclusive franchise for the removal of the organic waste.

Council Member Morales so moved and seconded by Council Member Rios.

Mayor Davila asked if anyone in the audience wished to speak on this item. Seeing no one step forward; Mayor Davila closed the audience portion.

ROLL CALL: Mayor Davila, yes; Vice Mayor Bernal, yes; Council Member Diaz, yes; Council Member Morales, yes; Council Member Rios, yes.

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ADJOURNMENT

Council Member Morales unanimously adjourned the meeting in memory of Henry Guerrero and Margaret Maldonado, long time South Gate residents at 9:45 p.m. and seconded by Vice Mayor Bernal.

PASSED and **APPROVED** this 13th day of June, 2017.

ATTEST:



Maria Davila, Mayor



Carmen Avalos, City Clerk