

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, JUNE 13, 2017**

CALL TO ORDER Mayor Maria Davila Witt called a Regular City Council meeting to order at 6:39 p.m.

INVOCATION Pastor Nick Garife led the Invocation.

PLEDGE OF ALLEGIANCE Patricia Mitchell, Aquatics Coordinator led the Pledge of Allegiance.

ROLL CALL Carmen Avalos, City Clerk

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

ABSENT Council Member Jorge Morales

1
PROCLAMATION The City Council issued a Proclamation declaring June 2017 as "Learn to Swim" Month.

2
INTRODUCTION OF NEW AND PROMOTIONAL FULL-TIME EMPLOYEES City staff introduced the new and promotional full-time employees hired or promoted between January 1, 2017 and March 31, 2017.

3
DEVELOPMENT The City Council conducted a Public Hearing to consider:

- a. The Planning Commission's proposed changes pertaining to Live Entertainment, Alcohol Sales as Part of a Restaurant and E-Cigarettes/ Vapor/ Smoke Shops/Hookah, and provide staff with direction as to which, if any, of the modifications should be made to the final Hollydale Village Specific Plan document;
- b. Waiving the reading in full and introducing an Ordinance - adding new Section 11.28.020 (Hollydale Village Specific Plan), to Chapter 11.28 (Specific Plans), to Title 11 (Zoning), to the South Gate Municipal Code; and
- c. Adopting a Resolution - approving the Initial Study and Negative Declaration, dated March 2, 2017, pertaining to the Hollydale Village Specific Plan.

Item 3 was continued to the regularly scheduled City Council meeting of June 27, 2017.

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COMMENTS FROM THE AUDIENCE

Virginia Johnson, 5751 McKinley Avenue thanked Public Works for convincing the advertisement truck in front of the mattress store on Garfield and Main Street to park its truck in the back parking lot. She mentioned a homeless lady at the bus bench on Main and Garfield.

Ms. Johnson has noted large banners on Paramount warning people of the \$1,000 fine or jail time for shooting off illegal fireworks within the City.

Ms. Johnson stated that John a tax payer advocate researched the new California Gas Tax initiative that was passed by California Congress to tax the people for the state's deteriorating roads and highways and that 30% is going towards parks, maintenance and job training for felons. In November 2016 the tobacco tax that passed was supposed to go into the medical funds, but instead was put into the general fund. California wants to double our income and other taxes to fund another none transparent tax for a health plan for billions of dollars to tax taxpayers.

Fabian Valencia, 9508 Madison Avenue has an organization called the Lost Angels and wanted the City Council to know about its existence.

Sergio Hernandez with William C. Velasquez Institute, 2914 N. Main Street, First Floor, Los Angeles, CA 90031 introduced himself and on behalf his president Antonio Gonzalez sends his regards. He is the new lower river representative.

Nicolas Patiño is a community organizer and works for The Wall Las Memorias Projects, Los Angeles. The organization works to improve the environment and substance abuse prevention.

Nick Godoy, 8611 San Gabriel Avenue stated that at the last Council meeting he requested to meet with City Manager, Director of Public Works and two of the lead man or foreman from the City Yard.

REPORTS AND COMMENTS FROM CITY OFFICIALS

Randy Davis, Chief of Police stated that the police department cited almost 50 firework citations last year. The intent is prevention, so the citizens have an opportunity to come in for an explanation.

Joe Perez, Director of Community Development reminded everyone of tomorrow's community meeting at 5:30 p.m. at the Civic Center regarding the Gateway Districts Specific Plan. Also, a neighborhood meeting next Tuesday, June 20th at 6:00 p.m. at the South Gate Park Banquet Room regarding a proposed big used development at the southwest corner of Atlantic and Tweedy.

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REPORTS AND COMMENTS FROM CITY OFFICIALS

CONT'D

Councilwoman Diaz stated receiving numerous messages from concerned residents regarding SEAACA's treatment of animals. She took a tour of the facility and was very impressed. Additionally, she attended an ICMA in Carlsbad this weekend.

Greg Martinez, City Treasurer wished everyone a great father's day weekend. He mentioned that the homeless is up 23% countywide. He thanked Council, Public Works and Police Department for their support during the street fair.

Vice Mayor Bernal appreciates staff's leadership and hard work on the landscape in front of City Hall. She visited the housing development project that Oldtimers/ CHDO had a ribbon cutting on San Gabriel.

Vice Mayor Bernal attended the Tweedy Mile Fair with her daughter and had a great time.

Mayor Davila attended the Tweedy Mile Fair and had a great time. She thanked the Police Department for having a booth at the fair.

Mayor Davila was a speaker at Southwest Collage for the nurses' graduation and a couple of the nurses are South Gate residents.

Mayor Davila attended the County Sanitation meeting and noted that the transportation fees approved. She also attended the Southeast Water Coalition wherein the budget was approved.

CONSENT CALENDAR

Agenda Items 5, 7, 8, 9, 11, 12, 13, and 15 were approved by motion of Mayor Davila and seconded by Vice Mayor Bernal. Items 4, 6, 10, and 14 were removed for separate discussion.

4

PERSONNEL ADMIN

The City Council adopted Resolution No. 7767 entitled – A Resolution of the City Council of the city of South Gate amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) to amend the Emergency and Technical Services Manager job specification and to change the title to Technical Services Manager; to update the job specification for the Police Records Manager position; and to update the salary pay table, by motion Vice Mayor Bernal and seconded by Mayor Davila.

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LEGAL OPERATIONS

The City Council approved a Contract Services Agreement (Contract No. 3330) with the law firm of Aleshire & Wynder, LLP, to provide labor and employment law legal services, during consideration of the Consent Calendar; and

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

6

PARKS

The City Council approved an Agreement (Contract No. 3331) with the Human Services Association for preschool and homework assistance programs, and youth and family oriented programs at the Westside Resource Center, for a cumulative term of up to ten years, by motion of Council Member Rios and seconded by Vice Mayor Bernal; and

- a. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney; and
- b. Authorized the Director of Parks & Recreation to act as the agent for the City under the Agreement and to execute any subsequent documents on behalf of the City.

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WATER

The City Council approved Amendment No. 1 to Contract No. 3179 with Willdan Engineering, Inc., for an additional 59 days of construction management services on the Elizabeth Reservoir and Booster Pump Station at Well No. 28 and New Well No. 29 at the Santa Fe Tank, City Project No. 494-WTR, in an amount not-to-exceed \$81,560, during consideration of the Consent Calendar; and

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

8

WATER

The City Council approved a Groundwater Pumping Water Rights Lease Agreement (Contract No. 3332) with the City of Cerritos to lease 3,000 acre-feet of the City's unused water rights annually, for a three-year term, during consideration of the Consent Calendar; and

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

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**TRANSPORTATION
PLANNING/ADMIN**

The City Council approved an Agreement (Contract No. 3333) with Biggs Cardosa Associates, Inc., (BCA) for design services for the 1-710/Firestone Southbound On-Ramp Modification Project, Federal Project No. HP21L-5257(036), City Project No. 354-ST, in an amount not-to-exceed \$750,000, during consideration of the Consent Calendar; and

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

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SOLID WASTE MGMT

The City Council ratified Amendment No. 2 to Contract No. 2222 with USA Waste Management of California Inc., dba Waste Management of Los Angeles, to initiate implementation of organic waste collection services to comply with Assembly Bill No. 1826, by motion of Mayor Davila and seconded by Council Member Diaz; and

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

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PARKING & TRAFFIC

The City Council accepted as completion, effective May 1, 2017, of the construction of the Southern Avenue Landscaping Improvements, City Project No. 560-TRF, performed by FS Contractors, Inc., during consideration of the Consent Calendar; and

- a. Authorized the Director of Public Works/City Engineer to approve Change Order No. 2, which is a "balancing" change order necessary to pay for actual quantities of work completed, in the amount of \$1,907; and
- b. Instructed the City Clerk to file the Notice of Completion with the Los Angeles County Recorder's Office.

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WASTEWATER MGMT

The City Council authorized Mayor Maria Davila to execute the Report of Waste Discharge (ROWD) application to apply for a Municipal Separate Storm Sewer Systems Permit with the Los Angeles Regional Water Quality Control Board, which is a requirement of the State to discharge storm water runoff to the Los Angeles River and Rio Hondo Channel, during consideration of the Consent Calendar.

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PARKING & TRAFFIC

The City Council considered receiving and filing the Engineering and Traffic Survey for Speed Limits report re-establishing the speed limits on roadway segments of Alexander Avenue, Tweedy Boulevard and Gardendale Street, for a five-year period starting in May 2017, during consideration of the Consent Calendar.

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COMMUNITY PROMOTION

The City Council authorized the Director of Public Works to waive the Public Works Encroachment Permit Fee for the installation of one banner promoting the Relay For Life South Gate-Lynwood event sponsored by the American Cancer Society, in the amount of \$153, by motion of Mayor Davila and seconded by Vice Mayor Bernal; and

- a. Authorized the Director of Public Works to waive the Banner Permit Fee for the installation of one banner promoting the Relay For Life South Gate-Lynwood event sponsored by the American Cancer Society, in the amount of \$175; and
- b. Authorized the Director of Community Development to waive the Temporary Sign Permit Fee for the installation of one banner promoting the Relay for Life event of the American Cancer Society, in the amount of \$62.

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MINUTES

The City Council approved the Special and Regular Meeting minutes of May 9, 2017, during consideration of the Consent Calendar.

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COMMUNITY PROMOTION

City Council directed the Director of Parks & Recreation to work with the Azalea Festival Planning Committee (Committee) to update the Azalea Festivals' purpose, goals and event schedule to meet the community's changing needs, by motion of Mayor Davila and seconded by Vice Mayor Bernal; and

- a. Appointed Mayor Davila and Council Member Diaz to serve as the City Council's representative on the Committee; and
- b. Provided recommendations and make new appointments to the Committee; and
- c. Directed staff to present a report on the Committee's progress and findings at the City Council meeting of October 24, 2017.

RECESS

The City Council recessed at 9:08 p.m., and reconvened at 9:16 p.m., with four (4) Members of Council present.

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PUBLIC ASSISTANCE

The City Council approved (a), (b) and (c), by motion of Council Member Rios and seconded by Council Member Diaz:

- a. Approving the four youth employment and job training programs utilizing the \$100,000 designated budget allocation for youth employment opportunities with:
 - 1. Conservation Corp of Long Beach in the amount of \$32,000;
 - 2. California Latino Leadership Institute in the amount of \$20,000;
 - 3. HUB Cities Consortium in the amount of \$30,000;
 - 4. Parks & Recreation Department in the amount of \$18,000;
- b. Authorized the Mayor to execute these agreements in a form acceptable to the City Attorney; and
- c. Designated the City Manager or his/her designee as the City's representative and authorize execution of any future agreements, documents or reports as required for the implementation of these Programs.

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WARRANTS AND CANCELLATIONS

The City Council approved the Warrants and Cancellations for June 13, 2017, by motion of Council Member Auditor Bernal and seconded by Mayor Davila.

Total of Checks:	\$2,830,586.66
Voids	\$ (34,157.25)
Total of Payroll Deductions:	<u>\$ (593,074.36)</u>
Grand Total:	\$2,203,355.05

Cancellations: 71805, 71742 and Various Stale Dated Checks as Listed in the Staff Report.

WALK-ON ITEMS

City Attorney Salinas informed Council of receiving a letter from our outside Counsel handling litigation for the City of South Gate.

The matter is entitled Elias Calderon vs. City of South Gate. In the correspondence received today, a settlement demand was received in that case. Consequently, because of the status of the proceedings of the case in federal court it requires the City Council to consider that settlement offer sooner rather than later and it cannot wait until two weeks from now when the City Council will meet again.

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WALK-ON ITEMS CONT'D

City Attorney Salinas stated that the second item has to do with a case of potential anticipated litigation. This is where the City would be the plaintiff. There was a decision made by another agency today and we are allowed about 35 days to file an action if we need to.

Outside Counsel for that matter will need to have as much time as possible to evaluate and prepare a lawsuit if it becomes necessary.

The Brown Act allows us to walk items up to the agenda when two requirements are met. 1) The urgency came up after the posting of the agenda; 2) the matter cannot wait until our next City Council meeting.

City Attorney Salinas asked City Council to consider his request in form of a motion, a 4th/5th vote and a roll call.

Mayor Davila motioned to add these two items and seconded by Vice Mayor Bernal.

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

RECESS

At this time, 9:55 p.m., Mayor Davila stated that the meeting would be recessed in order that the Council might hold an executive session. The meeting reconvened at 11:09 p.m. with four (4) Members of Council present. Council Member Morales was not present.

The Council Members recessed into Closed Session at 9:57 p.m. and reconvened at 11:12 p.m. with four (4) Members of Council present. City Attorney Salinas reported the following:

On the first of the two was the matter involving pending litigation; Elias Calderon vs. City of South Gate. In closed session City Council received a report from the City Attorney regarding an offer that had been made by Mr. Calderon's lawyer to settle the case.

After considering the matter, the City Council voted to reject the offer by motion of Mayor Davila and seconded by Vice Mayor Bernal and the vote was 4-0.

On the second matter involving anticipation litigation; the City Council received a report by City Attorney and staff with regard to potential necessity of initiating litigation. At the conclusion of that report, guidance was given but there was no action taken to initiate litigation at this time.

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ADJOURNMENT

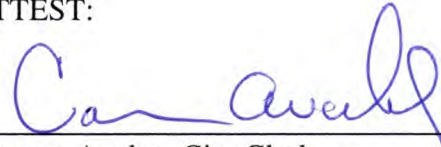
Mayor Davila adjourned the meeting at 11:12 p.m. and seconded by Vice Mayor Bernal.

PASSED and **APPROVED** this 12th day of September, 2017.

ATTEST:



Maria Davila, Mayor



Carmen Avalos, City Clerk