

**CITY OF SOUTH GATE  
REGULAR CITY COUNCIL MEETING  
MINUTES  
TUESDAY, JULY 24, 2018**

**CALL TO ORDER** Mayor María Belén called a Regular City Council meeting to order at 6:41 p.m.

**INVOCATION** Joe Perez, Director of Community Development

**PLEDGE OF ALLEGIANCE** Christian Martinez, Public Works Employee

**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, Acting City Manager Art Cervantes, City Attorney Raul Salinas

**ABSENT** Michael Flad, City Manager

**1 PRESENTATIONS** The City Council allowed staff to introduce the new and promotional full-time employees hired or promoted between April 1, 2018 and June 30, 2018.

**COMMENTS FROM THE AUDIENCE** Virginia Johnson, 5751 McKinley Avenue expressed her concerns about the proposed homeless facility at 11269 Garfield Avenue, Downey.

Angela Lucero, San Jose Avenue requested an update for the issue regarding the Parks instructor.

Vice Mayor Morales asked the City Attorney to explain to the audience the laws pertaining to comments made by the audience and the ability of the City Council to respond.

City Attorney Salinas explained to the public that by California law the City Council is very limited to what they can discuss and respond to at these meetings. When the public comes and raises comments that are not on the actual agenda the common practice is to allow all the speakers to make their comments and once the opportunity ends for the comments then the Council will attempt to briefly address each one. We are not allowed to do a back and forth answer session.

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### COMMENTS FROM THE AUDIENCE CONT'D

Bryan Ramirez, 9310 Virginia Avenue would like an update on the Parks instructor.

Veronica Ruiz, 10631 Stanford Avenue expressed her concerns about the homeless situation and the safety of the residents.

Juan Martinez, 10246 San Jose Avenue expressed his concerns about safety in the City of South Gate.

Ms. Cuellar, 1113 State Street, Lynwood also would like an update on the Parks instructor.

Mayor Bernal asked the City Attorney for an overview for the public on the process and what we expect to see.

City Attorney Salinas stated that this is in the case of the instructor Marina Rolf and as many people know we had a very large crowd that came to City Council to express their support and following that meeting the City Council did direct the City Manager to initiate a review of the decision process. The City Manager requested that the City Attorney make the review and the City Attorney gave a brief response on the review.

Art Cervantes, Acting City Manager and Randy Davis Chief of Police gave a brief response to the matters brought up in Open Session regarding the homeless.

### COMMENTS FROM STAFF

Carmen Avalos, City Clerk provided Council with an overview on the meetings she attended at the Los Angeles County Registrar Recorder's Office regarding elections.

Council Member Diaz reported on her meeting at the Vector Control and controlling the mosquitos. She also visited the transfer center here in South Gate and the HUB Cities committee meeting. She thanked the volunteers that worked the Relay for Life event and attended the Arts Event on the River. She would like to see more events like this to our South Gate Community.

Council Member Rios attended a census meeting in South Gate and explained the process and importance of a census. He also attended the Relay for Life and the Art Festival.

Council Member Davila was part of the Relay for Life and entered in a team. She also attended the Art Festival and felt it was a great event that should be held every year. She also shared that she is expecting her first grandchild.

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### COMMENTS FROM STAFF CONT'D

Vice Mayor Morales attended the Los Angeles County Board Meeting to testify as part of the Safe Cleanup Water Program which will be on the November ballot. He also attended the Independent Cities Association Conference.

Mayor Bernal attended the Los Angeles County Sanitation District Board meeting and they are in the middle of labor negotiations. She also attended the Independent Cities Association Conference. They had presentations on the homeless and urban planning. She stated that unfortunately the homeless problem is a regional issue and that California has one of the largest homeless problems in the Country. The Police Department cannot arrest someone just because they are homeless. There has to be a violation of some sort for the Police Department to become involved. She stated that staff is working with the City of Downey and we can be reassured that we are part of the process. She also requested that staff look into the Clean Power Alliance stating that our neighboring cities are also part of this alliance and if it could be more cost effective for us.

Council Member Davila informed every one of a meeting regarding the West Santa Ana Branch trains that will be held in Huntington Park and a second meeting in Bellflower. This is part of the process for the environmental studies.

### CONSENT CALENDAR

Agenda Items 4, 5, 6, 7, and 8 were unanimously approved by motion of Council Member Davila and seconded by Mayor Bernal. Items 2, 3, and 9 were pulled for separate discussion.

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### URBAN GREENING

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

- a. Adopted Resolution No. 7823 entitled – Resolution of the City Council of the City of South Gate approving a Funding Agreement (Contract No. 3464) with the California State Water Resources Control Board and designating the Director of Public Works/City Engineer to represent the City in carrying out the responsibilities of the Funding Agreement for the South Gate Urban Orchard Demonstration Project, as necessary to receive a \$7,975,100 Proposition 1 Grant for the construction of the South Gate Urban Orchard Demonstration Project;
- b. Appropriated \$7,975,100 in Proposition 1 Grant Funds to the South Gate Urban Orchard Demonstration Project (City Project No. 539-PRK), Account No. 311-790-31-9214; and
- c. Authorized the Mayor to execute the Funding Agreement in a form acceptable to the City Attorney.

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### ENERGY SAVINGS

The City Council unanimously approved A, B, and C by motion of Mayor Bernal and seconded by Council Member Rios.

- a. Adopted Resolution No. 7824 entitled – Resolution of the City Council of the City of South Gate adopting the Mobile Source Air Pollution Reduction Review Committee (MSRC) Local Government Partnership Program requirements to receive grant funds and committing to funding the local match requirement;
- b. Upon notification of the award of grant funding, authorized the Director of Administrative Services to appropriate \$50,000 in MSRC Grant Funds to Account 223-610-49-9003 to fund the purchase of five electric vehicles, and appropriated \$77,400 in MSRC Grant Funds and \$22,600 in AQMD Subvention Funds, to Account 223-610-49-9005, to fund the purchase and installation of three electric vehicle charging stations; and
- c. Authorized the Mayor to execute the Funding Agreement (Contract No. 3465), in a form acceptable to the City Attorney.

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### LEAGUE OF CA CITIES

The City Council unanimously adopted Resolution No. 7825 entitled - A Resolution of the City Council of the City of South Gate, California, designating Vice Mayor Jorge Morales to serve as the City's voting delegate and Mayor Maria Belén Bernal as the City's alternate voting delegate during the 2018 League of California Cities Annual Business Meeting/General Assembly on September 14, 2018 was a unanimously approved during consideration of the Consent Calendar.

5

### SGPMMA

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

- a. Approved Amendment No. 2 to Contract No. 3395 with the South Gate Professional and Mid Management Association regarding Fair Labor Standards Act implementation issues; and
- b. Authorized the Mayor to execute the Amendment No. 2 in a form acceptable to the City Attorney.

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**WORKERS' COMP**

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

- a. Approved Amendment No. 2 to Contract No. 2232 with AdminSure Inc., for workers' compensation self-insurance services; and
- b. Authorized the Mayor to execute Amendment No. 2 in a form acceptable to the City Attorney.

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**STORM DRAIN**

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

- a. Approved an Agreement (Contract No. 3463) with Ron's Maintenance, Inc., for catch basin maintenance services for an amount not-to-exceed \$301,500 for a three-year term; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

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**EMERGENCY  
PLANNING**

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

- a. Accepted the completion of construction, effective April 24, 2018, of the Emergency Operation Center Remodel Project, City Project No. 582-ARC constructed by R Dependable Const Inc.; and
- b. Directed the City Clerk to file a Notice of Completion with Los Angeles County Recorder's Office.

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**MINUTES**

The City Council approved A and B.

- a. The Special Meeting minutes and Special Budget minutes of May 15, 2018.

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

- b. The Special and Regular Meeting minutes of June 26, 2018.

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

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### WALK-ON ITEM

The City Attorney requested that the City Council consider two walk on items. There will be one item for Open Session and one item for Closed Session. The Brown Act allows us to walk on items that are not on the agenda when certain conditions are met. Namely, that the matter arose after the posting of the agenda and also the matter cannot wait until the Council has their next regular scheduled meeting.

In the case of the open session agenda, yesterday it was announced that one member of the Los Angeles Unified School District, Ref Rodriguez had pled guilty to a felony and has resigned. LAUSD is making plans to replace him or consider how to replace him and the City of South Gate should have a voice in that and the matter should be considered this evening. City Attorney Salinas recommended to the Mayor that we have a motion that would allow us to walk this matter onto the agenda. We would need 4 or 5 Council Members to vote for the affirmative so this item could be considered.

This item was approved to be walked on the agenda by Council Member Davila and seconded by Council Member Rios.

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

City Attorney Salinas stated that in addition to this item we received a claim for potential litigation against the City that would allow us to consider this matter. The item came up after the posting of the agenda and it is also a matter that cannot wait until the next regular City Council Meeting and would like the matter of threatened litigation discussed in closed session again based on a 4 to 5 Council Members to vote for the affirmative so this item could be considered.

This item was approved to be walked on the agenda by Council Member Davila and seconded by Mayor Bernal.

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

In regards to the discussion to consider what if any action the City Council would like to take in light of the announcement yesterday of the resignation of office by the member of the Los Angeles Unified School Board the City Council would like a letter sent to the Los Angeles Unified School Board stating that the Board take into consideration that outside of the City of Los Angeles that South Gate has more LAUSD students than any other City within the LAUSD boundary line and that if the Board decides to create an appointing panel that the City of South Gate would

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**WALK-ON ITEM  
CONT'D**

like to be a part of the panel by motion of Council Member Davila and seconded by Mayor Bernal.

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

**10  
PRESENTATIONS**

The City Council considered providing staff with direction regarding the proposed Home Recognition Program.

The City Council directed staff to assign the Planning Commission to decide from the selection of homes to be recognized. Distribution of the awards will be done throughout the entire community and in addition to the City Council recognition and lawn sign the selected home will receive an azalea plant was unanimously approved by motion of Council Member Davila and seconded by Mayor Bernal.

**11  
BUDGET**

The City Council unanimously authorized the carryover of unspent budget appropriations from FY 2016/17 to FY 2017/18 for the funds detailed in Exhibit A by motion of Mayor Bernal and seconded by Council Member Davila.

**12  
WARRANTS**

The City Council unanimously approved the Warrants and Cancellations for July 24, 2018 by motion of Council Auditor Davila and seconded by Council Member Rios.

Total of Checks:	\$3,177,503.89
Voids:	(\$ 16,900.14)
Total of Payroll Deductions:	<u>\$ 334,937.79</u>
Grand Total:	\$2,825,665.96

Cancellations: 77645, 78122, 78215

**CLOSED SESSION**

The Council Members recessed into Closed Session at 9:02 p.m. and reconvened at 9:37 p.m. with all Members of Council present. City Attorney Salinas reported the following:

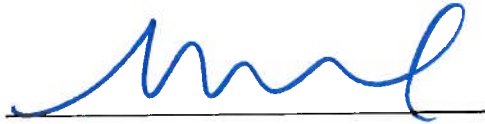
The City Council received a presentation from the City Attorney's Office in regards to a walk-on case of threatened litigation and there was no action taken in Closed Session.

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**ADJOURNMENT**

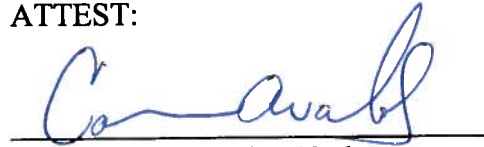
Mayor Bernal unanimously adjourned the meeting at 9:38 p.m. in memory of Army Soldier and South Gate resident Joseph Maciel and Angel Luis Colon, seconded by Council Member Davila.

**PASSED and APPROVED** this 14<sup>th</sup> day of August, 2018.



María Belén Bernal, Mayor

ATTEST:



Carmen Avalos, City Clerk