

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING MINUTES**

Tuesday, May 26, 2020

5/26/2020 - Minutes

I. Call To Order/Roll Call With Invocation & Pledge

CALL TO ORDER Maria Davila, Mayor called a Regular City Council meeting to order at 6:35 p.m.

INVOCATION Joe Perez, Director of Community Development

PLEDGE OF
ALLEGIANCE Nick Godoy, Commander of the Veterans of Foreign Wars #1732

ROLL CALL Carmen Avalos, City Clerk

II. City Officials

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

III. COVID 19 Meeting Procedures

IV. Meeting Compensation Disclosure

V. Proclamations, Certificates, Introductions And Ceremonial Actions

1. Proclamation Declaring The Month Of May As National Mental Health Awareness Month

The City Council issued a Proclamation declaring the month of May as National Mental Health Awareness Month.

2. Proclamation Declaring May 25, 2020, As Memorial Day

The City Council issued a Proclamation declaring May 25, 2020, as Memorial Day in tribute and honor to those who lost their lives in the name of freedom.

3. City Council Appointments To City Commissions, Committees And Boards

The City Council approved the following appointments to City Commissions, Committees and Boards; the appointments were ratified by a majority vote of the City Council by motion of Vice Mayor Rios and seconded by Mayor Davila.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, abstain; Council Member Hurtado, yes.

Vice Mayor Rios:

Twedy Mile Association – Victor Zamudio

VI. Public Hearings

4. Resolution Ordering The Levy Of The Fiscal Year 2020/21 For The Street Lighting And Landscaping District No. 1

The City Council conducted a public hearing and unanimously adopted Resolution No. 2020-20-CC entitled - A Resolution of the City Council of the City of South Gate ordering the levy of the Fiscal Year 2020/21 Annual Assessment for the Street Lighting and Landscaping Maintenance District No. 1 by Vice Mayor Rios and seconded by motion of Mayor Davila.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

Mike Flad, City Manager and Art Cervantes, Director of Public Works gave a brief presentation of this item.

Council Member Avalos stated that the City will be running in a deficit. As the City will be running in a deficit this will add an additional \$832,089.00 to the deficit.

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.

Greg Martinez, City Treasurer stated that corner properties get charged more because they have a larger square footage.

5. Americans With Disabilities Act Self Evaluation And Transition Plan

The City Council conducted a Public Hearing and unanimously approved A and B by motion of Council Member Hurtado and seconded by Mayor Davila.

- a. Received and filed a presentation on the Americans with Disabilities Act Self-Evaluation and Transition Plan (ADA Transition Plan); and
- b. Adopted the ADA Transition Plan.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

Mike Flad, City Manager and Art Cervantes, Director of Public Works gave a brief presentation of this item.

Mariam Athanasius, Owens Group gave a presentation on their recommendations on the ADA Transition Plan.

Council Member Avalos requested to see the reports that were prepared by the Owens group.

Mr. Flad said that he will provide copies for the entire Council.

Council Member Hurtado asked who would set up the priorities as to what projects get done first.

Ms. Athanasius replied that the Department of Justice and the Department of Transportation sent an explanation of the order in which things need to get done. They give priority one order to major streets.

Mr. Cervantes added that this document would serve as a Master Plan and as funding options become available, we would take the higher priority projects and start working from there. Also, the plan would help formulate new projects.

Council Member Diaz asked for clarification on the survey and lack of responses.

Mr. Cervantes said that he will report back to Council on the survey and how it was sent out to the residents.

Council Member Avalos asked how much funding is in the SB1 fund.

Mr. Cervantes responded that he believed that the allocation is based on how much revenue comes in through the state. This year he thinks it was close to 1.8 million dollars. There is also funding from grant projects, Prop C, and Measures R and M.

Mr. Flad added that ADA projects are also eligible for CDBG Funds.

Council Member Avalos requested that the survey be placed on the City's Website.

Mr. Cervantes responded that it is currently on the website.

Mayor Davila opened the public hearing and asked if anyone in the audience wishes to speak on this item.

Adolfo Varas, mentioned that as part of the attachment to the Staff Report it mentions that the information was published in the Los Angeles Wave Publication. He would like to help get more information and feedback from the residents.

Virginia Johnson, 5751 McKinley Avenue, stated that she didn't even know that survey was out there but was happy it is still available.

Seeing no one come forward, Mayor Davila closed the public hearing.

Council Member Avalos asked is the current work that has been done on the corners was taken into consideration when this plan was being formulated.

Ms. Athanasius explained that it depends on the date of the work as this plan began two years ago.

Mr. Cervantes also explained that the City would get credit for existing work even if it was not included in this plan.

Lizzette Ruiz commented that they need more input from the community with disabilities.

VII. Comments From The Audience

John Montalvo sent an email to read during Public Comments to share his opinion on the current behavior of the City Council and recent appointment to the Parks and Recreation

Commission.

Virginia Johnson, 5751 McKinley Avenue, shared her opinion on the current activities of the City Council and the recent postings on social media. She spoke in support of Mayor Davila, Vice Mayor Rios and Council Member Hurtado.

Mr. Godoy, reported that at 8628 San Gabriel Avenue there are teenagers leaving marijuana and trash. He also said that the WAVE hasn't been distributing their paper for over a month.

Thomas Buckley, said that he feels that he is being attacked by members of the Mayors campaign team. He feels that his concerns about the Mayor's behavior have not been addressed.

Rudy thanked the people that organized the protest that occurred in front of the Mayor's house. He feels it is important for the community to have free speech and need to hold elected officials accountable for their actions.

A member of the public agreed with Ms. Johnson's comments.

Liz Ruiz, wanted to express her concerns with the issues being brought up and feels these issues are just separating the City.

Alice Cueto, 2911 Willow Place, stated that she agrees with the comments made by Ms. Johnson.

Claudia Rivera, has concerns about the recent postings on social media.

Alfredo Banuelos, spoke on the attacks being made and would like to know what the facts are instead of just stating opinions. He supports the protests going on throughout the City and feels the First Amendment must be protected.

Consuelo Godoy, spoke on the staff members working the Call Center and how polite they are.

A member of public agreed with Ms. Johnson's comments.

Jovanna Laborin, also agreed with Ms. Johnson's comments and was against the protests that occurred in front of the Mayor's house.

Bobbie Thompson, 8848 Firestone Plaza, is unhappy with the current state of the City.

Candice Esquivel is against the protests at the Mayor's house. She believes that the police should investigate this matter before someone is hurt.

Aaron, spoke on recent social media posts and how he would appreciate Council Member Hurtado answer his email instead of avoiding him.

Georgina spoke on the current state of the City and is disgusted with the immature behavior of the Council.

Mayra believes in freedom of speech but the behavior of the people protesting in front of

the Mayor's house was unacceptable.

Lindsay Cox, 10125 Pinehurst Avenue, has decided to take a step back from volunteering in the community because of the despicable behavior of the community. She also spoke on the recent postings on social media. She believes the community needs to move on.

David Montano, spoke on the recent posting on social media and the political activities in the City. He supports Council Member Diaz and thanked her for delivering food to his mother.

David Gomez, is a small business owner and supports Council Member Diaz. He feels she takes the time to answer his questions and thanked her for her work within the community. He believes the Council Members need to work together and would like to see some new leadership.

Brigette Ramirez, spoke about her concerns with comments made on social media.

Luz Ruiz, spoke about her concerns with comments made on social media.

Luz, spoke about her concerns with comments made on social media.

Cindy Esquivel, 4718 Tweedy Boulevard, commented on illegal fireworks and wanted to know if the Police Department was planning on having extra patrols.

Josh Barron, spoke about his concerns with comments made on social media about the JAA.

Adolfo Varas, stated that he feels that the City Council is divided and feels that Council Member Diaz has the control to help mend this situation.

Drew, spoke in support of Mayor Davila, Vice Mayor Rios and Council Member Hurtado. He feels that the whole City Council needs to come together and work as a team.

Jim Torres, Oklahoma Avenue, asked what the process is to reopening the dog park in Hollydale.

VIII. Reports And Comments From City Officials

Joe Perez, Director of Community Development, stated that the City Council recently authorized \$200,000 to support small businesses with \$10,000 grants. Currently, applications are now being accepted. 113 applications were received on the first day.

Steve Costley, Acting Director of Parks and Recreation stated that the Golf Course has reopened and starting on June 1st the tennis courts will open as well as the dog park and parking lots. On Saturday, the Los Angeles County Food Bank in conjunction with the City, Assembly Member Rendon's Office, and several others will be hosting a food distribution center at South Gate Park.

Art Cervantes, Assistant City Manager/Director of Public Works stated that the Public Works Department will be accepting bids and proposal for the construction project at Garfield/Imperial and Firestone/Otis.

Randy Davis, Chief of Police stated that the Police Department has noticed an increase in

firework activity. The Police Department will be having a special task force to address this firework violations. The task force will educate the public and also enforce the illegal fireworks laws.

Greg Martinez, City Treasurer stated that there is a time and a place for protests. As elected officials we signed up to take the good criticisms as well as the bad but our neighbors do not. Mr. Martinez does not agree with the protests held in front of the Mayor's house. Mr. Martinez has seen posts on social media stating that he was part of the protests. He stated that he had nothing to do with this and was working at the homeless shelter at time.

Council Member Avalos, commented that the City Council is working together and each member brings their own knowledge to the group. It saddens her that there are community members that are still stuck in the election. She feels that the members of council do not control people and wants to move forward as a Council. She suggested some sort of community event to bring everyone together. She invited all City Commissioners to help this weekend as a show of unity for the community.

Council Member Hurtado, stated that he is very hopeful that the Council can work well together. Every day he gets calls about the attacks on social media and encourages the community to come together.

Council Member Diaz, stated that South Gate had a tremendous spike reaching 517 testing posting and we have lost 15 members of our community. She urged the community to keep following all the guidelines as we start opening the economy again. She thanked the Youth Commission for offering scholarship and graduations. She is constantly informing residents of programs and opportunities on her social media platforms and says that she is not attacking people as some are claiming. She agrees that we need to unite for the benefit of the community and move the City forward.

Vice Mayor Rios, stated that he is concerned with the situation at Farmer John's plant in Vernon and encouraged everyone to be careful. He thanked staff for their work on the census and South Gate is leading the way on filling out the census forms. Vice Mayor Rios wants to start meeting with businesses to discuss safely opening to the community. He is a member of the SELA Collaborative and they just voted to move ahead with "California Forward." The board would like to hold an economic summit in the South East Area before the end of the year. He met with the Mayor and the City Manager about getting the Budget Subcommittee meetings started again.

Mayor Davila reminded everyone of the upcoming food drive. She thanked staff that worked the call center for our senior's citizens and has made a few videos for the high school virtual graduation ceremonies. The Mayor said that the community is welcome to come and talk at the Council Meetings, but a lot of the comments today were about social media pages that the City doesn't have any control over. The Council continues to conduct City business and we make sure our residents are taken care of. She will not respond to questions on social media pages and does not respond to negative comments. At the last meeting she read a statement that addressed the concerns of some of the residents and stated that there are organizations that people can report their concerns if they question her ethics. She believes that the people have the right to protest but said that people should be mindful of their behavior and their language as their chose to protest in area with families and children. We should work together especially during these times of need.

IX. Consent Calendar Items

Agenda Items 6, 8, 9, and 10 were unanimously approved by motion of Council Member Hurtado and seconded by Mayor Davila. Item 7 was pulled for separate discussion.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

6. Ordinance No. 2020-02-CC Amending Title 9 (Buildings) Of The Muni Code Updating California Building Standards Code

The City Council unanimously adopted Ordinance No. 2020-02-CC entitled - An Ordinance of the City Council of City of South Gate amending Title 9 (Buildings), of the South Gate Municipal Code, in its entirety by adopting by reference the 2019 Edition of the California Code of Regulations, Title 24 and the 2018 Edition of the Uniform Solar Energy and Hydronics Codes, and the 2018 Edition of Swimming Pool, Spa, Hot Tub Codes published by the International Association of Plumbing and Mechanical Officials, effective July 1, 2020 during Consent Calendar.

7. Resolution Updating The Job Specification Of The Director Of Parks & Recreation Position

The City Council adopted Resolution No. 2020-21-CC entitled - A Resolution of the City Council of the City of South Gate amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) to update the job specification of the Director of Parks & Recreation position in the Parks & Recreation Department by motion of Council Member Hurtado and seconded by Council Member Davila.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, no; Council Member Diaz, yes; Council Member Hurtado, yes.

8. Amendment No. 1 To Contract No. 2020-22-AC With ClientFirst Technology Consulting For Continued IT Project Management Services; Agreement For E-Mail Archive Solution Implementation; And Agreement For The Office 365 Migration

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

- a. Approved Amendment No. 1 to Contract No. 2020-22-AC with ClientFirst Technology Consulting for continued project management related to the initial implementation of the Technology Master Plan, in an amount not-to-exceed \$62,390.00;
- b. Approved Professional Services Agreement (Contract No. 2020-32-CC) with ClientFirst Technology Consulting for Implementation of an E-mail Archive Solution, in an amount not-to exceed \$7,350.00; and
- c. Approved Professional Services Agreement (Contract No. 2020-33-CC) with ClientFirst Technology Consulting for the Office 365 Migration Project, in amount not-to-exceed \$26,600.00.

9. Funding Appropriations For The Capital Improvement Program For Fiscal Year 2019/20

The City Council unanimously approved A, B, C, D, E, F, G and H during consent calendar.

- a. Amending the Capital Improvement Program to add the following projects:
(1) Citywide Residential Resurfacing Project, Phase I, City Project No. 637-ST (2) Police Department Parking Lot Expansion, City Project No. 594-GEN, (3) Police Department Fueling Station and Air Compressor Replacement, City Project No. 663-GEN, and (4) Warehouse Office Construction at Public Works Yard, City Project No. 664-GEN;
- b. Appropriating \$1,600,000 in Senate Bill 1 Funds to Account No. 311-790-31-9582, (Capital Projects Fund - Citywide Residential Resurfacing Project - Phase I, City Project No. 637-ST) to fund this project;
- c. Transferring \$240,000 from Account No. 311-790-49-9905 (Capital Projects Fund - Courthouse Adaptive Reuse Project, City Project No. 501-ARC) to Account No. 311-790-39-9113, (Capital Projects Fund - Police Department Parking Lot Expansion, City Project No. 594 GEN) to fund this project;
- d. Appropriating \$800,000 from the unrestricted balance of the Water Fund to Account No. 411-731-71-9557 (Water Fund - Water System Facilities Chlorination Upgrades, City Project No. 586-WTR) to fully fund the project;
- e. Appropriating \$200,000 from the unrestricted balance of the Water Fund to Account No. 411-731-71-9578 (Water Fund - Long Beach Boulevard Water Service Lateral Replacement, City Project No. 638-WTR) to fully fund the project;
- f. Appropriating \$600,000 from the unrestricted balance of the Water Fund to Account No. 411-731-71-9581 (Water Fund - AMI/AMR Meter Replacement - Phase III, City Project No. 649-WTR) to fully fund the project;
- g. Appropriating \$175,000 from the unassigned balance of the Building & Infrastructure Maintenance Fund to Account No. 311 790-39-9114 (Capital Projects Fund - Police Department Fueling Station and Air Compressor Replacement, City Project No. 663 GEN) to fund this project; and
- h. Appropriating \$30,000 from the unassigned balance of the Building & Infrastructure Maintenance Fund to Account No. 311 790-49-9911 (Capital Projects Fund - Warehouse Office Construction at Public Works Yard, City Project No. 664-GEN) to fund this project.

10. Special And Regular City Council Meeting Minutes Of April 28, 2020

The City Council unanimously approved the Regular and Special Meeting minutes of April 28, 2020 during Consent Calendar.

X. Reports, Recommendations And Requests

11. Resolution Extending The Restriction On Evictions Of Commercial And Residential Tenants To June 30, 2020 Due To The Ongoing COVID-19 Pandemic

The City Council unanimously adopted Resolution No. 2020-22-CC extending the restriction on evictions of commercial and residential tenants to June 30, 2020, due to the ongoing Coronavirus Disease 2019 pandemic by motion of Council Member Hurtado and seconded by Council Member Davila.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

12. Agreements For The Purchase Of A New Radio Communication System For The Police Department

The City Council unanimously approved A, B, C, D, E, and F by Mayor Davila and seconded by motion of Council Member Hurtado.

- a. Approved a Lease Financing Agreement (Contract No. 2020-34-CC) with Motorola for the purchase of hardware and software which includes consoles, radios and services, in the amount of \$1,253,889.84, for a three-year term;
- b. Approved an Agreement (Contract No. 2020-35-CC) with the City of Montebello for Interoperable Radio System Subscriber Service, in the total amount of \$58,500.00 annually;
- c. Approved an Agreement (Contract No. 2020-36-CC) with the City of Montebello for Land Lease Agreement, in the total of \$1.00 annually;
- d. Approved an Agreement (Contract No. 2020-37-CC) with Spectrum Cable for internet service, in the total amount of \$9,000.00 annually;
- e. Approved an Agreement (Contract No. 2020-38-CC) with Wireless Infrastructure Services for microwave dish, in the amount of \$62,083.29 (one-time cost); and
- f. Authorized the Mayor to execute the Agreements in a form acceptable to the City Attorney.

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes; Council Member Diaz, yes; Council Member Hurtado, yes.

Council Member Hurtado stated that this is the continuation of the first phase of a project that was approved in 2018. This item continues with Phase 2 and 3.

Chief Davis explained that if the Police Department did not move forward with Phase 2 and 3 the early equipment would only be utilizing a fraction of their capabilities.

Council Member Hurtado also believes that this project would improve officer safety.

Council Member Avalos has concerns with funding options and questioned if there were other funding sources available to complete this project. She suggested using asset forfeiture funds for half of the purchase and general fund for the other half.

Chief Davis stated that the asset forfeiture funds are used for as many capital purchases possible from police cars, uniforms and equipment. These funds also used for the EOC and Training Facility remodel. He suggested that rather than changing the financial impact he will look at more infrastructure and technology improvements items that are included right now in the Technology Master Plan that the department had planned on using general fund and look at changing those to asset forfeiture. This can be done with the next fiscal year budget.

Council Member Diaz is also concerned with the impact this will have on the General

Fund.

Chief Davis did explain that this is a time sensitive item and if we postpone approving these contracts the City could lose the discount that is included. He also stated that payment is not due until May of 2021.

13. Warrant Register For May 26, 2020

The City Council unanimously approved the Warrants and Cancellations for May 26, 2020 by motion of Council Auditor Avalos and seconded by Council Member Hurtado.

Total of Checks: \$2,176,206.64

Voids: \$ (17,315.00)

Total of Payroll Deductions: \$ (387,559.52)

Grand Total: \$1,771,332.12

Cancellations: 87516, 87880, 87993

Roll Call: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Avalos, yes;
Council Member Diaz, yes; Council Member Hurtado, yes.

XI. Adjournment

Mayor Davila unanimously adjourned the meeting at 11:28 p.m. and seconded by Vice Mayor Rios.

PASSED and **APPROVED** this 9th day of June 2020.

For a signed copy of the minutes for this meeting please contact the City Clerk's Office:
8650 California Avenue, South Gate, California 90280
(323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org