

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, OCTOBER 26, 2021**

- CALL TO ORDER** Al Rios, Mayor called a Regular City Council meeting to order at 6:38 p.m.
- INVOCATION** Steve Costley, Interim Director of Parks and Recreation
- PLEDGE OF ALLEGIANCE** Francisco Robles, Lead Electrician
- ROLL CALL** Carmen Avalos, City Clerk
- PRESENT** Mayor Al Rios, Vice Mayor Maria del Pilar Avalos, Council Member Denise Diaz; Council Member Maria Davila and Council Member Gil Hurtado; City Treasurer Gregory Martinez, Interim City Manager Chris Jeffers, City Attorney Raul F. Salinas
- 1**
PROCLAMATION The City Council issued a Proclamation declaring November 2021 as National Diabetes Month in the City of South Gate.
- 1a**
PROCLAMATION The City Council issued Certificates of Appreciation to Lizbeth Pimentel Arredondo and Brissa Medina for their commitment to the City and volunteer work with food distribution during the COVID-19 pandemic.
- 2**
PERSONNEL The City Council allowed staff to introduce the new and promotional full-time employee hired or promoted during September 2021.
- 3**
LAW ENFORCEMENT The City Council considered receiving a demonstration of the newly launched South Gate Police Department Mobile Phone App ("SGPD Phone App") which is expected to enhance communication with the public.
- 13**
RECYCLING The City Council approved A and B by motion of Vice Mayor Avalos and seconded by Council Member Davila.
- Roll Call:** Mayor Rios, yes; Vice Mayor Avalos, yes; Council Member Diaz, yes, Council Member Hurtado, yes; Council Member Davila, yes
- a. Received and filed a presentation by HF&H Consultants, LLC on the Draft Request for Proposal for Recycling, Organics, and Solid Waste Collection and Recycling, Organics and C&D Processing Services; and

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RECYCLING CONT'D

- b. Approved and authorized the issuance of the Draft Request for Proposals for Recycling, Organics, and Solid Waste Collection and Recycling, Organics and C&D Processing Services.

4

MUNICIPAL CODE

The City Council conducted a Public Hearing and introduced Ordinance No. 2021-10-CC entitled - An Ordinance of the City Council of the City of South Gate, amending Section 7.49.170 (Alcoholic Beverages, Narcotics, and other controlled substances) of chapter 7.49 (Park) of Title 7 (Public Safety and Morals), of the South Gate Municipal Code to allow for the possession, sale, and consumption of alcoholic beverages at park facilities and specified park areas provided that a permit is issued in accordance with approved permit requirements and guidelines adopted by the City Council was approved by motion of Council Member Davila and seconded by Council Member Hurtado.

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

Steve Costley, Interim Parks and Recreation Director presented the staff report for this item.

Mayor Rios opened the public hearing at 8:19 p.m. and asked if anyone in the audience would like to speak on this item.

Virginia Johnson, 5751 McKinley Avenue spoke against having alcohol in the Parks. She feels that it sends the wrong message to the youth of our community.

Mario Dominguez questioned allowing alcohol in the park and not allowing smoking of marijuana.

Liz questioned the policy of the police presence at events and is this related to the festivals at the park.

Robert Montalvo asked if the fees for the permit increase if alcohol was allowed and whose responsibility is it to ensure that there is security at the events.

Thomas Buckley is concerned with the fact that there are children in the parks and the influence of alcohol in the area is not a good idea.

Jessica Lopez asked where the drinking will be allowed and who will be responsible for the cost of the security.

Seeing no one else come forward, Mayor Rios closed the public hearing at 8:28 p.m.

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4 MUNICIPAL CODE CONT'D

Council Member Diaz clarified that the alcohol would only be served inside the banquet facilities in the parks and the person renting the facility would be responsible for the security. She supports the item as it will bring more revenue to the City.

Mr. Costley responded to the comments of the public.

Council Member Hurtado explained the process of placing items on the agenda for discussion. He also supports the item.

Council Member Davila realizes that there are children in the area, but a large part of the community is looking for a place to celebrate events. She also supports the item and wants to find ways to make this safely work.

Vice Mayor Avalos and Mayor Rios also support this item and appreciate that Mr. Costley went to other cities to find out what works for them.

5 FINANCIAL MANAGEMENT

The City Council conducted a Public Hearing and approved A, B, and C by motion of Council Member Hurtado and seconded by Mayor Rios.

- a. Adopted Resolution No. 2021-51-CC entitled - Resolution of the City Council of the City of South Gate, California, establishing a new Schedule of Fees for City services effective for FY 2021-22.
- b. Authorized the Mayor to execute the Resolution in a form acceptable to the City Attorney; and
- c. Rescinded Resolution No. 7668.

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

Kingsley Okereke, Interim Director of Administrative Services presented the staff report for this item.

City Attorney Salinas clarified that Council Member Hurtado is allowed to speak on the fees that pertain to mobile homes even though he lives in a mobile home as he falls under the public general exception. This means that the approval of the resolution as suggested by staff would affect the Council Member as all members of the public living in mobile homes.

Mayor Rios opened the public hearing at 8:45 p.m. and asked if anyone in the audience would like to speak on this item. Seeing no one come forward the Mayor closed the Public Hearing at 8:47 p.m.

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FINANCIAL

MANAGEMENT CONT'D

Council Member Hurtado asked if the fees on mobile homes can be excluded from the increase because it would only impact senior citizen and is it possible to have special pricing for seniors.

City Attorney Salinas clarified that usually this is not recommended as the fees are based on services provided.

Vice Mayor Avalos asked if approved when does it go into effect.

Mr. Okereke answered that the Resolution would go into effect immediately.

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MUNICIPAL CODE

The City Council conducted a Public Hearing and waived the reading in full and introduced Ordinance No. 2021-11-CC entitled - Ordinance of the City Council of the City of South Gate, California, amending Section 11.31.030 (Definitions) to Chapter 11.31 (Density Bonus for Affordable Housing) and further deleting and replacing Table 11.31-1 (Determination of Density Bonus) in its entirety of Section 11.31.040 (Density Bonus), Sub-Section A (Determination of Density Bonus), and further deleting and replacing Table 11.31-3 (Number of Incentives) of Section 11.31.050 (Incentives), Sub-Section A (Number of Incentives), and further deleting and replacing Table 11.31-4 (Parking Requirements for Projects Receiving a Density Bonus) of Section 11.31.060 (Affordable Housing Requirements), Sub-section B.3. (Development Standards) of Title 11 (Zoning) of the South Gate Municipal Code to revise the City's regulations pertaining to density bonus for affordable housing by motion of Council Member Davila and seconded by Council Member Diaz.

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

Lynn Kelly Lenner, City Consultant provided the presentation for this item.

Mayor Rios opened the public hearing at 8:55 p.m. and asked if anyone in the audience would like to speak on this item.

Robert Montalvo stated that the property value wasn't taken into consideration of when preparing this Ordinance.

Mr. Dominguez asked if staff could provide an explanation to what a density bonus is.

Ms. Lenner explained market value properties and density as it relates to comments from the audience.

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COMMENTS FROM THE AUDIENCE

All Council Members agreed that this is a matter of losing local control and it needs to address at the State level.

Virginia Johnson, 5751 McKinley Avenue spoke about audio failure at the last City Council Meeting and her concerns with the position of the City Clerk.

Sandy Rodriguez, Indiana Avenue introduced herself as the newly elected Kiwanis Club President.

Armando Velasquez promoted the Kiwanis Club and announced that this Friday is the South Gate High School Football Team vs Huntington Park High School Football Team for the Kiwanis Trophy.

Robert Montalvo commented on the audio failure at the last City Council Meeting.

Mario Dominguez commented on the audio failure and problems with video presentations for the Zoom audience.

Thomas Buckley commented on the audio failure at the last City Council Meeting and questioned how the minutes will be written. He wants staff to explain what went wrong.

Carmen Avalos, City Clerk apologized to anyone that was inconvenienced by this incident. She stated that we have been training staff and with this sometimes errors are made. Currently the official record for the City is the minutes. As we move forward with technology upgrades the City's official record continues to be the minutes. The City's minutes are action minutes, and the actions of the legislative body are accurate. The Mayor and the City Clerk both sign off on the minutes. The City's IT Department has continued to be sure that all meetings are covered, and Ms. Avalos thanked them for their work. It was a mistake, and we are taking steps so this will not happen again.

REPORTS AND COMMENTS FROM CITY OFFICIALS

Steve Costley, Interim Parks and Recreations Director announced that there will be Halloween carnivals at both South Gate and Hollydale Parks. On November 6th at South Gate Park there will be food distribution.

Darren Arakawa, Chief of Police stated that South Gate Youth Football along with Police Department will host Coffee with a Cop tomorrow.

Trunk and Treat will also be this week and a new Police Officer will be graduating from the academy. Lastly, the Chief invited everyone to his swearing in ceremony.

Carmen Avalos, City Clerk stated that she will be attending a meeting at the Register Recorders Office to discuss upcoming elections.

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REPORTS AND COMMENTS FROM CITY OFFICIALS

CONT'D

Greg Martinez, City Treasurer will be working at a family shelter to help feed the families for Halloween.

Council Member Hurtado stated that he is part of the Los Angeles Unified School District redistricting committee and he spoke on the issues facing our local schools.

Council Member Diaz spoke on the redistricting of the Los Angeles Unified School District. When in Washington D.C. she spoke with Congresswoman Roybal-Allard about various federal programs. She will also be attending a NALEO response team on COVID-19.

Vice Mayor Avalos had nothing to report.

Mayor Rios spoke on the redistricting of the Los Angeles Unified School District. The Mayor thanked the members of the Kiwanis for their hard work during these difficult times.

CONSENT CALENDAR

Agenda Items 7, 8, 9, 11, and 12 were approved by motion of Vice Mayor Avalos and seconded by Council Member Diaz. Council Member Hurtado recused himself from the vote for Item 9. Council Member Davila was absent. Item 10 was pulled for separate discussion.

Roll Call: Mayor Rios, yes; Vice Mayor Avalos, yes; Council Member Diaz, yes, Council Member Hurtado, yes (Item 9 recused); Council Member Davila, absent

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LAW ENFORCEMENT

The City Council approved A and B during Consent Calendar.

- a. Contract No. 2021-132-CC with All City Management Services, Inc. ("ACMS"), for crossing guard services for a one (1) year term ending June 30, 2022; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

8

WATER

The City Council approved A and B during Consent Calendar.

- a. Amendment No. 1 to Contract No. 2020-52-CC with MNS Engineers, Inc. to provide additional construction management and inspection services to cover the extended construction schedule for the Water Facility Chlorination System Upgrades, City Project No. 586-WTR, in the amount of \$32,676.
- b. Authorized the Mayor to execute Amendment No. 1 in a form acceptable to the City Attorney.

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TRANSPORTATION

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

- a. Approved Amendment No. 2 to Contract No. 2020-18-CC with T.Y. Lin International Group extending the term of the agreement through December 31, 2021, to provide additional construction management and inspection services for the I-710 Corridor Soundwall Project, Caltrans Contract 07-298014, City Project Nos. 587-ST and 547-ST, in an amount not to exceed \$107,910; and
- b. Authorized the Mayor to execute Amendment No. 2 in a form acceptable to the City Attorney.

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EMERGENCY PROGRAMS CITY MEMBERSHIPS

The City Council approved A, B, C, and D by motion of Council Member Hurtado and Council Member Diaz.

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

- a. Appropriated \$500,000 from the American Rescue Plan funds to an account determined by the Director of Administrative Services;
- b. Approved the attached Loan Agreement (Contract No. 2021-133-CC) and related Promissory Note, subject to any final changes by the City Attorney's Office that are not substantive in nature nor increase the monetary commitment by the City of South Gate;
- c. Authorized the City Manager to take steps he deems necessary to finalize a forgivable loan to Hub Cities Consortium with GAP financing assistance for them to relocate their offices to South Gate (4370 Tweedy Blvd).; and
- d. Approved the written request that was submitted by the Alshire Law Firm authorizing and waiving any technical conflict of interest in representing HUB Cities

Raul F. Salinas, City Attorney added that the law firm representing HUB Cities in this matter is Aleshire Law Firm which also represents the City of South Gate with labor negotiations so there is a technical conflict of interest. These conflicts are typically waived. Even though they meet the definition by the State Bar rules they don't normally breach their ethical duties. Mr. Salinas requested to add an Item d to the recommended action which would be to approve the written request that was submitted by the Aleshire Law Firm authorizing and waiving any technical conflict of interest in representing HUB Cities.

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PURCHASING

The City Council approved the Purchase Order agreement with Fritts Ford for a F450 Dually 1 Ton Truck for the Parks and Recreation Department for the total amount of \$54,698.93 during Consent Calendar.

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MINUTES

The City Council approved A and B during Consent Calendar.

- a. The Special Meeting minutes of September 27, 2021; and
- b. The Regular Meeting minutes of September 28, 2021.

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

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ENVIRONMENTAL QUALITY CONTROL

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

- a. Resolution No. 2021-52-CC entitled - Resolution of the City Council of the City of South Gate, California, in support of the South Coast Air Quality Management District Proposed Rule 1109.1; and
- b. Authorized the Mayor to execute the Resolution in a form acceptable to the City Attorney.

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EMERGENCY PROGRAMS

The City Council approved A, B, and C by motion of Council Member Hurtado and Vice Mayor Avalos

- a. The proposed programs/projects to be funded in Fiscal Year 2021-22 with American Rescue Plan Act (ARPA) funds; and
- b. Authorized necessary budget appropriation and adjustments to implement approved programs/projects totaling \$21,561,290; and
- c. Directed staff to seek appropriate proposals from qualified third-party providers for designated social services eligible under the ARPA guidelines.

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WARRANTS

The City Council approved the Warrant Register for October 26, 2021 by the motion of Vice Mayor Avalos and seconded by Council Member Hurtado.

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

Total of Checks:	\$5,358,020.54
Voids:	\$ (0.00)
Total of Payroll Deductions	<u>\$ (359,408.95)</u>
Grand Total:	\$4,998,611.59

Cancellations: 94380, 94467

ADJOURNMENT

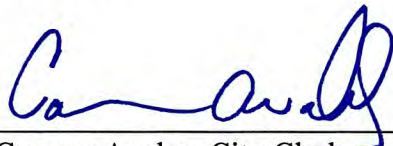
Mayor Rios adjourned the meeting at 11:23 p.m. in memory of Bartholomew McNeal, Principal at Norwalk/La Mirada School District and Eleno Medina, South Gate resident and seconded by Vice Mayor Avalos.

PASSED and **APPROVED** this 23rd day of November 2021.

ATTEST:



Al Rios, Mayor



Carmen Avalos, City Clerk