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City of South Gate
CITY COUNCIL

Item No. 12

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

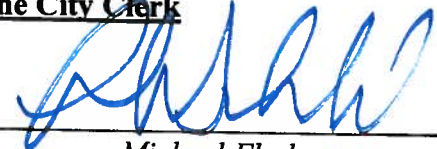
AGENDA BILL

For the Regular Meeting of: November 24, 2020
Originating Department: Office of the City Clerk

City Clerk:


Carmen Avalos

City Manager:


Michael Flad

SUBJECT: APPROVAL OF CITY COUNCIL MEETING MINUTES.

PURPOSE: To historically preserve the events of the City Council Meetings.

RECOMMENDED ACTION:

- A. Approve the Regular and Special City Council Meeting minutes of November 10, 2020; and
- B. Approve the Special City Council Meeting minutes of November 11, 2020

FISCAL IMPACT: None.

ANALYSIS: The minutes are provided to the City Council on the Wednesday prior to their regular business meeting. Amendments should be provided to the City Clerk's Office within 24 hours of a City Council Meeting so that verification of the record and corrections are made accordingly. A revised document will be provided to the City Council prior to the Meeting.

BACKGROUND: The minutes typically describe the events of the meeting and may include a list of attendees, a statement of the issues considered by the participants, and related responses or decisions for the issues.

ATTACHMENTS: City Council Minutes

**CITY OF SOUTH GATE
SPECIAL CITY COUNCIL MEETING
MINUTES
TUESDAY, NOVEMBER 10, 2020**

CALL TO ORDER Maria Davila, Mayor called a Special City Council meeting to order at 5:37 p.m.

ROLL CALL Veronica Galvez, Recording Secretary

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

ABSENT City Treasurer Gregory Martinez

LATE Carmen Avalos, City Clerk

CLOSED SESSION The Council Members recessed into Closed Session at 5:05 p.m. and reconvened at 6:44 p.m. with all Members of Council present. City Attorney Salinas reported the following:

1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Pursuant to Government Code Section 54956.9(a), 54954.9(b)(3)(C)

- a. Suzy J. Brissette v. City of South Gate
- b. City of South Gate v. County of Los Angeles

Item 1(a) is a claim for property damage associated with a sewer line that connected to the City's main. There was a report given by the City Attorney with respect to that claim. On a motion made by Council Member Hurtado and seconded by Council Member Avalos and on a vote of 5-0, City Council moved to deny that claim.

On item 1(b), the City Attorney recused himself and did not participate in closed session. The City Manager reported that in Closed Session City Council did received a report by an outside counsel advising the City on this matter and upon completion of that presentation there was no reportable action taken.

2. CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

Pursuant to Government Code Section 54956.9(b)(3)(D)&(E)

One (1) - Potential Case

On item 2, City Council received a presentation by staff and also received a presentation about initiating pending litigation by the City Attorney and

SPECIAL CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

upon completion of that presentation there was a motion to authorize a filing of a cross-complaint in a matter entitled Rendon vs. City of South Gate. The motion was made by Council Member Avalos and seconded by Vice Mayor Rios and the vote was 5-0.

3. CONSIDER THE EVALUATION OF PERFORMANCE OF A PUBLIC EMPLOYEE

Pursuant to Government Code Section 54957 and 54957.6

a. City Manager

On item 3(a), City Council received a presentation by the City Manager involving the steps taken to conduct a search for an Interim City Manager. Upon completion of that report, there was no reportable action taken.

4. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS

Pursuant to Government Code Section 54956.8

a. Property APN: N/A

Property: 9599 Pinehurst Avenue, South Gate, CA 90280

City Negotiator: Michael Flad, City Manager

Negotiating with: Goals Soccer Centers, Inc.

Under Negotiation: Terms of Leases

On item 4(a), City Council discussed potential deferment of rent under the term of lease involving the Goals Soccer Centers which is located at the South Gate Park. There was a staff presentation given and upon completion of that staff presentation, there was no reportable action taken. This item is also item 6 on the open City Council agenda.

ADJOURNMENT

Mayor Davila unanimously adjourned the meeting at 6:48 p.m. by motion of Council Member Hurtado and seconded by Council Member Avalos.

PASSED and APPROVED this 24th day of November 2020.

ATTEST:

Maria Davila, Mayor

Carmen Avalos, City Clerk

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, NOVEMBER 10, 2020**

- CALL TO ORDER** Maria Davila, Mayor called a Regular City Council meeting to order at 6:50 p.m.
- INVOCATION** Associate Pastor Elias Gabriel, First Baptist Church led the invocation.
- PLEDGE OF ALLEGIANCE** Paul L. Adams, Interim Director of Community Development led the Pledge of Allegiance.
- ROLL CALL** Carmen Avalos, City Clerk
- 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

WALK-ON ITEM The City Attorney requested that City Council allow for a matter to be walked-on to the matter of the Veteran’s Day Proclamation and the JAA Swap Meet. Pursuant to the Brown Act the City Council may walk-on items under certain limited circumstances. Those circumstances are present here this evening. 1) The event occurred after the agenda was posted, and 2) As a result of the event the City finds it necessary to take immediate action which cannot wait until the next regularly scheduled meeting. These two items meet this criteria.

The Veteran’s Day proclamation was approved to walk-on by motion of Vice Mayor Rios and seconded by Council Member Hurtado.

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

The item concerning the JAA swap meet was approved to walk-on by motion of Council Member Diaz and seconded by Council Member Rios. Council Member Hurtado recused himself from participating on this item.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Diaz, yes; Council Member Hurtado, recuse; Council Member Avalos, yes.

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

1

PROCLAMATIONS

The City Council issued a Proclamation declaring November 10, 2020, as Law Enforcement Records and Support Personnel Day in the City of South Gate.

2

PROCLAMATIONS

The City Council issued a Proclamation declaring Saturday, November 28, 2020, as Small Business Saturday to encourage the community to shop locally.

EXCUSED FROM MEETING

During the City Council Meeting Council Member Diaz lost her connection and was not able to rejoin the meeting.

WALK-ON ITEMS

PROCLAMATIONS

The City Council issued a Proclamation declaring November 11, 2020, as Veterans Day in honor of the great sacrifice paid by the men and women who served in the Armed Forces.

JAA

The City Council discussed an outdoor swap meet to be hosted by the South Gate Junior Athletic Association on Saturday, November 14, 2020.

The City Council postponed the outdoor swap meet to future date by motion of Vice Mayor Rios and seconded by Council Member Avalos.

ROLL CALL: Mayor Davila, no; Vice Mayor Rios, yes; Council Member Diaz, absent; Council Member Hurtado, recused; Council Member Avalos, yes.

3

APPOINTMENTS

Adolfo Varas was appointed to the Parks and Recreation Commission by motion of Council Member Avalos and seconded by Council Member Hurtado.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Diaz, absent; Council Member Hurtado, yes; Council Member Avalos, yes.

4

COMMISSIONERS

The City Council opened the Public Hearing and waived the reading in full and introduced Ordinance No. 2020-03-CC entitled - An Ordinance of the City Council of the City of South Gate, California, amending Sections 1.09.020 (Composition), of Chapter 1.0 (Parks and Recreation Commission), 1.12.020 (Membership), of Chapter 1.12 (Planning Commission), and 1.25.010 (Membership), of Chapter 1.25 (Citizens' Advisory Committee), of Title 1 (Administration and Personnel), of the South Gate Municipal Code amending eligibility requirements for

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

4
COMMISSIONERS
CONT'D

individuals appointed to serve in these civil offices by motion of Council Member Hurtado and seconded by Vice Mayor Rios.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Diaz, absent; Council Member Hurtado, yes; Council Member Avalos, yes.

Carmen Avalos, City Clerk provided a brief presentation on this item.

Raul F. Salinas, City Attorney introduced Victor Lopez who is a second year law student that assisted staff with the preparation of this item.

Victor Lopez reviewed the eligibility requirements for Civil Commissions.

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

Fabiola, Robert Montalvo and Liz Ruiz spoke in support of the adoption of this ordinance.

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

The City Clerk stated that she is in the process of updating the application for Commissioners once this Ordinance passes.

Council Member Hurtado spoke in support of the adoption of this ordinance and addressed the comments made by Mr. Montalvo during public comments for this item.

PUBLIC COMMENT

Robert Montalvo spoke about his concerns with the JAA and the members of the City Council.

Angie asked if the City Council decided to not approve the JAA Swap Meet will they close the Tweedy Mile Sidewalk Sale and the Farmer's Market. She does not believe that this action was fair. She is also concerned with the behavior of residents and City Council Members.

Adolfo Varas has concerns with the American Legion Post and its status as a nonprofit.

Jovanna Laborin has concerns with the behavior of residents and the City Council Members. She would like City Staff to meet with all the Commissioners regarding the duties and behaviors expected of a Commissioner.

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

PUBLIC COMMENT CONT'D

Candice Esquivel has concerns with the behavior of City Commissioners and believe they need to be held accountable for their actions. She also would like clarification on how the Farmer's Market and Tweedy Mile Sidewalk Sale are allowed to operate while Council voted to stop the JAA swap meet.

Thomas Buckley is concerned with the behavior of City Commissioners.

Ana, South Gate Chamber of Commerce encouraged everyone to support the small businesses in South Gate and that they hope to host a toy and food drive for Christmas.

Cyndi Esquivel thanked Public Works for cleaning up the City after the high winds.

Liz Ruiz updated the City Council on the air quality district AB 6177 planning committee meetings.

April thanked Council Member Hurtado for his work with the community.

REPORTS AND COMMENTS FROM CITY OFFICIALS

Steve Costly, Interim Parks and Recreation Director stated staff is working with Assembly Member Anthony Rendon's Office to try to put together a turkey give away/food drive on November 23rd at South Gate Park.

Raul F. Salinas, City Attorney reported that he verified that when there is a quorum of three, it takes two votes to constitute a majority under Government Code 36810. Mr. Salinas clarified a statement made in Public Comment regarding actions against the City of Maywood and noted that there is nothing in that action that includes the City of South Gate or its Councilmembers.

Council Member Avalos stated that she is disappointed that many of the City's Commissioners are still at odds and has requested that the City Attorney conduct some type of ethics training. She thanked Public Works for the work done with the damage caused by the high winds.

Council Member Hurtado thanked Public Works for their work during the high winds and encouraged residents to put the South Gate Connects App on their phone as a way to reach the City. He hopes to see the community come together and start to work together.

Vice Mayor Rios thanked the Veterans for their service to the Country. He announced that there will be a ribbon cutting on the 18th for the HUB Cities Career Center. He also hopes to see the community come together and start to work together.

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

REPORTS AND COMMENTS FROM CITY OFFICIALS

CONT'D

Mayor Davila thanked Public Works for their work during the high winds. The Mayor reported that last week she had a meeting with Padres Unidos and the Director of Planning of Los Angeles Unified School District. LAUSD wants to build employee housing at the South Gate Middle School. The members of Padres Unidos oppose this plan. At this time LAUSD has not yet approved the location for the project.

CONSENT CALENDAR

Agenda Items 7 and 12 were approved by motion of Council Member Avalos and seconded by Mayor Davila. Items 5, 6, 8, 9, 10 and 11 were pulled for separate discussion.

5

CIS

The City Council approved A, B, C, and D by motion of Vice Mayor Rios and seconded by Council Member Avalos.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Hurtado, yes; Council Member Avalos, yes; Council Member Diaz, absent.

- a. Approved Amendment No. 2 to Contract No. 2020-22-AC with ClientFirst Technology Consulting, LLC for continued project management services for the implementation of the Technology Master Plan, through June 30, 2021, in an amount not-to-exceed \$88,450;
- b. Approved an Agreement (Contract No. 2020-102-CC) with ClientFirst Technology Consulting, LLC for assistance with the Request For Proposal (RFP) and Competitive Vendor Selection process for a VoIP Telecom System, in an amount not-to-exceed \$23,395;
- c. Approved an Agreement (Contract No. 2020-103-CC) with ClientFirst Technology Consulting, LLC for assistance with the RFP and Competitive Vendor Selection process for a Time & Attendance System, in an amount not-to-exceed \$29,880; and
- d. Authorized the Mayor to execute Amendment No. 2 and both Agreements in a form acceptable to the City Attorney.

6

GOALS SOCCER

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

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Hurtado, yes; Council Member Avalos, yes; Council Member Diaz, absent.

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

6

GOALS SOCCER CONT'D

- a. Approved Amendment No. 1 to Contract No. 2546. Ground Lease Agreement, with Goals Soccer Centers, Inc., reducing ground lease payments by 50% for the period of April 1, 2020 through and including March 31, 2021, due to previously ceased, and now limited, operations during the COVID-19 pandemic;
- b. Approved Amendment No. 1 to Contract No. 2646. Management Agreement, with Goals Soccer Centers, LLC reducing lease payments for the operation of the Batting Cages Facility by 50% for the period of April 1, 2020 through and including March 31, 2021, due to previously ceased, and now limited, operations during the COVID-19 pandemic;
- c. Authorized the Interim Director of Parks & Recreation to negotiate future years' rent reductions after reviewing unaudited financial statements from Goals Soccer Centers, Inc., in accordance with both amendments and present recommendations to the City Council in the subsequent years; and
- d. Authorized the Mayor to execute both amendments in a form acceptable to the City Attorney.

7

CHAKEMCO

The City Council approved A and B during Consent Calendar.

- a. Approved Amendment No. 1 to Contract No. 2020-54-CC with Engineering Resources of Southern California, Inc., for additional construction management and inspection services necessary to resolve field and design issues that arose during construction of the Chakemco Street Improvement Project. City Project No. 593-ST, in an amount not-to-exceed \$6,825; and
- b. Authorized the Mayor to execute Amendment No. 1 in a form acceptable to the City Attorney.

8

URBAN GREENING

The City Council approved A and B by motion of Council Member Avalos and seconded by Mayor Davila. Council Member Hurtado recused himself from participating on this item.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Hurtado, recuse; Council Member Avalos, yes; Council Member Diaz, absent.

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

8
URBAN GREENING
CONT'D

- a. Approved Amendment No. 3 to Contract No. 3352 with The Trust for Public Land to fund services and associated fees to update Phase I, Cultural Resources Assessment and Section 106 Compliance Study, as required for the Urban Orchard Project, and to fund permit fees from the California Department of Fish and Wildlife, in the amount of \$9,386; and
- b. Authorized the Mayor to execute Amendment No. 3 in a form acceptable to the City Attorney.

9
CIP

The City Council considered:

- a. Approving an amendment to the Capital Improvement Program to add the following projects: (1) the South Gate Police Department Air Conditioner Replacement Project, City Project No. 667-GEN; and (2) the South Gate Police Department HVAC & Electrical Systems Assessment, City Project No. 668-RPT;
- b. Appropriating \$73,000 from the unrestricted fund balance in the Building & Infrastructure Maintenance Fund to Account No. 524-501-21-9100 (BIM Fund - Facility Improvements) to fully fund the South Gate Police Department Air Conditioner Replacement Project, City Project No. 667-GEN;
- c. Appropriating \$24,000 from the unrestricted fund balance in the Building & Infrastructure Maintenance Fund to Account No. 524-501-21-9100 (BIM Fund - Facility Improvements) to fully fund the South Gate Police Department HVAC & Electrical Systems Assessment, City Project No. 668-RPT;
- d. Authorizing staff to prepare the Per- and Polyfluoroalkyl Substances (PFAS) Study for City Water Wells, City Project No. 666-WTR;
- e. Appropriating \$200,000 from the unrestricted fund balance in the Water Fund to Account No. 411-731-71-6101 (Water Fund - Professional Services) to fund the Per- and Polyfluoroalkyl Substances (PFAS) Study for City Water Wells, City Project No. 666-WTR;
- f. Authorizing staff to prepare the Urban Water Management Plan, City Project No. 669-RPT;

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

9

CIP CONT'D

- g. Appropriating \$75,000 from the unrestricted fund balance in the Water Fund to Account No. 411-731-71-6101 (Water Fund - Professional Services), to fund the Urban Water Management Plan. City Project No. 669-RPT);
- h. Appropriating \$3,000,000 from the assigned for capital projects fund balance in the General Fund to Account No. 311-790-61-9214 (CIP Fund - Urban Orchard Project), to program funding for the construction of the Urban Orchard Project, City Project No. 539-PRK; and
- i. Appropriating \$555,316 from the Measure W Fund reserves to Account No. 311-790-61- 9214, to program funding for the construction of the Urban Orchard Project, City Project No. 539-PRK.

This item was continued to the City Council Meeting of November 24, 2020.

10

FIRESTONE

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

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Diaz, absent; Council Member Hurtado, yes; Council Member Avalos, yes.

- a. Approving Contract Change Order No. 9 to Contract No. 3389 with the Griffith Company to compensate for construction costs that were previously under dispute, on the Firestone Boulevard Regional Corridor Capacity Enhancements, City Project No. 476-TRF. in the amount of \$127,738; and
- b. Authorizing the Assistant City Manager/Director of Public Works to execute Contract Change Order No. 9.

11

ECONOMIC DEV

The City Council considered receiving and filing the City of South Gate Economic Development Strategic Plan Progress Update for Fiscal Year 2019/20, containing priorities and actions taken to improve the City's economic development efforts.

This item was continued to the City Council Meeting of November 24, 2020.

REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 10, 2020

12
MINUTES

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

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Diaz, absent; Council Member Hurtado, yes; Council Member Avalos, yes.

- a. The Special City Council Meeting minutes of September 30, 2020;
- b. The Special City Council Meeting minutes of October 21, 2020;
and
- c. The Regular and Special City Council Meeting minutes of October 27, 2020.

13
WARRANTS

The City Council approved the Warrants and Cancellations for November 10, 2020 with the exception of Warrant #90727 by motion of Council Auditor Avalos and seconded by Council Member Hurtado.

ROLL CALL: Mayor Davila, yes; Vice Mayor Rios, yes; Council Member Diaz, absent; Council Member Hurtado, yes; Council Member Avalos, yes.

Total of Checks:	\$1,450,765.36
Voids:	(\$ 1,194.04)
Total Payroll Deductions:	<u>\$ 250,233.84</u>
Grand Total:	\$1,199,337.48

Cancellations: Various Stale Dated Checks as Listed in the Staff Report.

ADJOURNMENT

Mayor Davila adjourned the meeting in memory of South Gate resident and US Marine Veteran Carlos Torres at 10:57 p.m. and seconded by Council Member Avalos.

PASSED and APPROVED this 24th day of November 2020.

ATTEST:

Maria Davila, Mayor

Carmen Avalos, City Clerk

**CITY OF SOUTH GATE
SPECIAL CITY COUNCIL MEETING
MINUTES
WEDNESDAY, NOVEMBER 11, 2020**

CALL TO ORDER Maria Davila, Mayor called a Special City Council meeting to order at 12:20 p.m.

ROLL CALL Carmen Avalos, City Clerk

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

CLOSED SESSION The Council Members recessed into Closed Session at 12:21 p.m. and reconvened at 5:14 p.m. with all Members of Council present. City Attorney Salinas reported the following:

1. CONSIDER THE EMPLOYMENT OF A PUBLIC EMPLOYEE
Pursuant to Government Code Section 54957(b)(1)

Interim City Manager

No reportable action.

ADJOURNMENT Mayor Davila unanimously adjourned the meeting at 6:39 p.m. by motion of Vice Mayor Rios and seconded by Councilmember Hurtado.

PASSED and APPROVED this 24th day of November 2020.

ATTEST:

Maria Davila, Mayor

Carmen Avalos, City Clerk