

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

Tuesday, February 25, 2020

2/25/2020 - Minutes

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

CALL TO ORDER M. Belén Bernal, Mayor called a Regular City Council meeting to order at 6:50 p.m.

INVOCATION Pastor Elias Gabriel, First Baptist Church

PLEDGE OF
ALLEGIANCE Joe Perez, Director of Community Development

ROLL CALL Carmen Avalos, City Clerk

II. City Officials

PRESENT Mayor M. Belén Bernal, Vice Mayor Denise Diaz, Council Member Al Rios, Council Member Maria Davila and Council Member Bill De Witt; City Treasurer Gregory Martinez, Acting City Manager/Director of Community Development Joe Perez, City Attorney Raul F. Salinas

ABSENT Mike Flad, City Manager

III. Meeting Compensation Disclosure

IV. Proclamations, Certificates, Introductions And Ceremonial Actions

1. Appointment To The Civil Service Commission

Council Member De Witt appointed Chuck Brady to the Civil Service Commission and seconded by Council Member Davila.

2. Ratification Of Appointments To The Commission For South Gate Youth

The City Council ratified by a majority vote, the appointments of Keith Hupp and Esperanza Galvan to the Commission for South Gate Youth by motion of Council Member De Witt and seconded by Council Member Davila.

EXCUSED FROM ITEM 3 At this time, Mayor Bernal was excused from participating on item 3 and departed from the Council Chambers.

V. Public Hearings

3. Ordinance Granting A Five-Year Franchise To Tesoro SoCal Pipeline Company, LLC

The City Council conducted a public hearing, waiving the reading in full and introducing Ordinance No. 2020-01-CC entitled - Ordinance of the City Council of the City of South

Gate granting a five-year franchise to Tesoro SoCal Pipeline Company, LLC, a Delaware limited liability company, commencing retroactively on February 27, 2019, to lay and use pipes, ditches, flumes, conduits and appurtenances for transmitting and distributing oil or products thereof, for any and all purposes in, along, across, upon and under the public streets, ways, alleys and places, as the same now or may hereafter exist, within the City of South Gate.

Raul F. Salinas, City Attorney stated that in the past this item has come before City Council and as a matter of choice the Mayor has decided to recuse herself from this out of an abundance of caution even though there does not appear to be a technical conflict of interest. At the prior City Council meeting we needed to have a quorum and we drew straws resulting in the selection of Council Member De Witt to participate in this item.

Mayor Bernal stated that the reason why she will recuse herself from participating on this item is due to the fact that she received a contribution from Tesoro that she returned and did not cash it for her reelection campaign.

Joe Perez, Community Development Director gave a brief presentation of this item.

Art Cervantes, Public Works Director added in adopting this franchise agreement the City will receive a granting fee of \$11,522.00 and thereafter would receive an annual fee.

Council Member De Witt asked how many franchises the City has.

Mr. Cervantes responded that he doesn't know the exact number but that this is a renewal.

Vice Mayor Diaz opened the Public Hearing at 6:59 p.m.

Nick Godoy, 8611 San Gabriel Avenue, commented on the testing schedule for the diesel lines.

Janet Torres, Executive Director for the South Gate Chamber of Commerce, spoke in support of Tesoro and how they have always supported the City of South Gate and the Chamber of Commerce with special programs and activities.

Jerry Brown, Mr. C's Towing, supports Tesoro and how they support activities within the City of South Gate.

Vice Mayor Diaz closed the Public Hearing at 7:10 p.m.

Council Member Rios spoke with representatives about safety procedures of the pipelines and supports their efforts.

Council Member De Witt went out with Tesoro and looked at the pipeline and said that it seems to be well maintained. He is also in support of moving forward with this item.

Vice Mayor Diaz spoke about how Tesoro supported the Robotics Team of San Miguel Elementary School.

Staff's recommendation were approved by motion of Council Member De Witt and seconded by Council Member Davila.

Roll Call: Vice Mayor Diaz, yes; Council Member Davila, yes; Council Member Rios, yes; an Council Member De Witt, yes; Mayor Bernal, absent.

REJOINED MEETING Mayor Bernal rejoined the Council prior to Public Comments.

VI. Comments From The Audience

Virginia Johnson, 5751 McKinley Avenue, expressed concerns about JAA, Mayor and Vice Mayor. She believes that Garfield Avenue should not have a bike lane included in the upcoming Garfield Avenue project. She realizes that the City cannot get a government grant to fix our streets without bike lanes but with all the taxes residents pay, why aren't our streets fixed.

Mr. Campos, 8467 San Vincente Avenue, expressed his concerns about the noise coming from his neighbor's properties.

Linda Parsonson, 5780 Main Street, brought information about homeless situation and how surrounding cities are dealing with certain issues.

Aaron Ruiz, 11815 Oklahoma Avenue, requested that City Council address comments from the last City Council meeting regarding inappropriate comments made on social media.

Mark Sepulveda, 10019 Otis Street, expressed his concerns about the accusations against JAA.

Cynthia Esquivel, 4718 Tweedy Boulevard, spoke on the comments made by City Treasurer Martinez during the City Council Meeting of February 11, 2020.

Maria Navarro, 9411 San Antonio Avenue, spoke on the Churches in Action meeting that happened a few weeks ago and feels that we should be focusing on the City and not politics.

Candice Esquivel, 9520 Tweedy Boulevard, expressed her concerns and disappointment with the current City Council.

Gil Hurtado, 10001 West Frontage Road, Space 215, spoke on all the various political accusations during the course of this election season.

Armando Velasquez, 3365 Independence Avenue, is excited about a new chapter of Kiwanis starting in South Gate and asked everyone to spread the word.

Tom Hall, 10505 St. James Avenue, expressed his concerns about the current City Council and wants to have a speed bump on St. James Avenue because of speeding.

Jasmine Beltran, 2718 Orchard Place, expressed her concerns about the ELAC building and the lack of communication with the residents about construction.

Jim Torres, is concerned that the City of South Gate would choose Beihai, China as a sister city and urges Council to choose a city that does not express communist beliefs and choose a city that stands for freedom of speech.

Nick Godoy, 8611 San Gabriel Avenue, thanked Mayor Bernal for contacting San Gabriel School and he had a meeting with the school regarding the traffic issues on his street.

RECESS The City Council recessed at 8:12 p.m., and reconvened at 8:17 p.m., with 5 Members of Council present

Andrea Paulina, 11625 Utah Avenue, wanted to know what the status of the parking study is and when we will get any results.

Adolfo Varas, 10313 Jackson Avenue, expressed that he feels that he and his family are being disrespected by the Vice Mayor and her Commissioner.

Greg Martinez, 2603 Ohio Avenue, spoke about correcting the record regarding comments stated from the audience.

Andrew Esquivel, 4718 Tweedy Boulevard, spoke on Mr. Martinez's comments regarding the JAA.

Sylvia Masushige, expressed her concerns about the lack of respect towards people.

Mayor Bernal stated that before we get into comments from Staff she would like to address some of the points made in public comments. She asked the City Attorney to explain how an I.E. works.

VII. Reports And Comments From City Officials

Raul F. Salinas, City Attorney stated that per the Brown Act we are limited as to what can be discussed that is not listed on the agenda he said we can have a very brief discussion. The City Attorney gave a brief explanation of how The City Municipal Code allows for the City to regulate the conduct of its election. He also explained that the City is not the only regulating body. The Fair Political Party Commission (FPPC) also regulates elections and independent expenditures.

Carmen Avalos, City Clerk explained how committees (PAC) can raise money and are not limited to how much can be raised by the entity providing such funding. She also spoke on the reporting process for donations and expenditures.

Mayor Bernal said that these forms are available to view at the City Clerk's Office. She also stated that at the last meeting the City Council did authorize staff to move into a review period and meet JAA Board Members to review finances. She has faith that Staff is going to be diligent that regardless of this election they will follow through.

Mr. Salinas provided the audience and City Council a review of the policies in place for signs placed in the public right of way during election and nonelection season.

The Mayor then asked Art Cervantes, Public Works Director to give a brief update on the parking survey.

Mr. Cervantes reported that he is ready to come back to Council with a report to explain

implementation. He stated that once approved by City Council we need to establish a task force to decide which project to move forward with.

Steve Costley, Acting Parks and Recreation Director stated that the Azalea Festival will be starting on March 6th.

Joe Perez, Acting City Manager/Director of Community Development said that we are currently in an application process for the Home Recognition program and the deadline is March 1st.

Raul Salinas, City Attorney stated that he believes that the City has a well-regarded former City Council Member that used to say he might not agree with your point of view but he would fight for your right to express it. He believes especially at the City Council Meetings that we do need to allow the public come in and speak even though members of the audience might not agree with it.

Greg Martinez, City Treasurer asked to adjourn tonight's meeting in memory of Jesus Alberto Vargas, South Gate Resident.

Carmen Avalos, City Clerk provided an update on the status of the election.

Council Member Davila attended the San Gabriel Elementary School Career Day and the Taste of the 63rd District Event hosted by Assembly Member Rendon.

Council Member De Witt spoke on the coronavirus and hopes that City staff will look into what we can do as a city. He also spoke on the situation on San Vincente and the recent parking study.

Council Member Rios spoke on the upcoming census and a complete count meeting will be held on Thursday, February 27th. He also spoke on the City Sister program.

Vice Mayor Dias, thanked Carmen Avalos, City Clerk for going to the Senior Center to explain the changes in the voting process. The Vice Mayor received a scholarship from USC to attend a sustainability summit.

Mayor Bernal encouraged everyone to get out and vote. She invited everyone to attend the State of the City which is scheduled for March 9th at the South Gate Park auditorium. We will be having guest speakers to update people on the projects help around the City.

The Mayor attended an event with the South Gate's Women's Club where we honored two long standing community members. She requested that the digital traffic signs display that voting has started.

VIII. Consent Calendar Items

Agenda Items 4, 7, 8, 9, 11, 12, 13 and 14 were unanimously approved by motion of Council Member De Witt and seconded by Mayor Bernal. Items 5, 6, and 10 was pulled for separate discussion.

4. Resolution Authorizing Application For The Transformative Climate Community Grant

The City Council unanimously adopted Resolution No. 2020-06-CC entitled - A Resolution of the City Council of City of South Gate authorizing application, submittal

and receipt of Transformative Climate Communities (TCC) Planning Grants Program funds through the Strategic Growth Council for the preparation of a micro transit and mobility study during Consent Calendar.

5. Agreements With Willdan Engineering, KOA Corporation, & Interwest Consulting Group For As Needed Engineering Services

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

a. Approved three As-Needed Professional Engineering Services Agreements with the following firms, each for a two year term with an option to extend each Agreement for two additional years, for an amount not-to-exceed \$240,000 per year, per Agreement:

1. Willdan Engineering (Contract No. 2020-15-CC);
2. KOA Corporation (Contract No. 2020-16-CC); and
3. Interwest Consulting Group, Inc. (Contract No. 2020-17-CC);

b. Authorized the use of Purchase Orders in directing work to the three firms in an amount not- to-exceed the approved amount for each Purchase Order; and

c. Authorized the Mayor to execute the Agreements in a form acceptable to the City Attorney.

6. Agreement With T.Y. Lin International Group For Construction Management And Inspection Services For The 1-710 Soundwall Project

The City Council unanimously approved A and B by motion of Council Member De Witt and seconded by Council Member Davila.

a. Approved Agreement (Contract No. 2020-18-CC) with T.Y. Lin International Group for construction management and inspection services for the construction of the 1-710 Corridor Soundwall Project, Caltrans Contract 07-298014, City Project Nos. 587-ST and 547-ST, in an amount not-to-exceed \$665,866; and

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

7. Grant Deed From J&Y 26 Firestone, LLC For Street Purposes Along Firestone Boulevard

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

a. Accepted the Grant Deed from J & Y 26 Firestone, LLC, to secure an 8-foot swath of right-of-way for street purposes, along Firestone Boulevard, for the proposed retail center at 3125 Firestone Boulevard necessary to achieve consistency with the Mobility Element of the South Gate General Plan 2035; and

b. Authorized the Mayor to execute the Certificates of Acceptance in forms acceptable to the City Attorney.

8. Change Order No. 1 With CJ Concrete Construction, Inc., For The Citywide Sidewalk Improvement Project, Phase VI

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

- a. Approved Change Order No. 1 to Contract No. 3564 with CJ Concrete Construction, Inc., to reduce the quantity for root barrier installations and increase the quantity for concrete repairs, at no additional cost or savings; and
- b. Authorized the Assistant City Manager/Director of Public Works to execute Change Order No. 1.

9. Notice Of Completion For The Sports Center Roof Skylight Panel Replacement Project

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

- a. Accepted completion of construction of the Sports Center Roof Skylight Panel Replacement, City Project No. 586-ARC, completed by Inter-Sky Custom Skylights & Daylighting, Inc., effective January 30, 2020; and
- b. Directed the City Clerk to file the Notice of Completion with the Los Angeles County Registrar Recorder's Office.

10. Side Letter Of Agreement With The Police Officers' Association Regarding Overtime Court Duty For Police Officers

The City Council unanimously approved A and B by motion of Council Member Rios and seconded by Council Member De Witt.

- a. Approved Side Letter of Agreement with the South Gate Police Officers' Association regarding overtime court duty/court appearance for police officers; and
- b. Authorized the Mayor to execute the Side Letter of Agreement in a form acceptable to the City Attorney.

11. Quarterly Investment Report For September 30, 2019

The City Council unanimously received and filed the Quarterly Investment Report for the quarter ended September 30, 2019 during Consent Calendar.

12. Authorization Of Auction For City's Obsolete Surplus Items

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

- a. Declared obsolete items as surplus property; and
- b. Authorizing U.S. Auction Services to sell these surplus items at auction.

13. Purchase Of A Fully Trained Narcotics Detection Canine And Handler Training

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

- a. Accepted \$2,500.00 donations from Accurate Steel Treating, Bordo, Inc., Metalsport, and Accurate Ion, for a total of \$10,000.00;
- b. Increased the Fiscal Year 2019/20 revenue projections in the Asset Forfeiture Fund, Account No. 235-4904 (Asset Forfeiture Fund - Donations) by \$10,000.00, from \$0.00 to \$10,000.00; and
- c. Authorized expenditure of \$15,871.25 from the Asset Forfeiture Fund for the

purchase of one fully trained Narcotics Detection Canine and required handler training.

14. Purchase For Two Police Pursuit Vehicles And Required Equipment

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

a. Approved Purchase Order with National Auto Fleet Group for the purchase of two pursuit vehicles and installation of necessary emergency equipment for the Police Department, in the total amount of \$105,950.40; and

b. Approved Purchase Order with Motorola/BearCom for the purchase of radio equipment to outfit these two patrol vehicles, in the amount of \$16,273.78; and

c. Approved Purchase Order with CDCE. Inc., for the purchase of Mobile Data Computers to outfit these two patrol vehicles, in the amount of \$12,683.93; and

d. Appropriated \$12,970.11 from the unassigned Asset Forfeiture Fund balance to Account No. 235-570-21-9003 (Asset Forfeiture Fund - Auto/Rolling Stock) to adjust for the total purchase.

IX. Reports, Recommendations And Requests

15. Approve Warrant Register For February 25, 2020

The City Council unanimously approved the Warrants for February 25, 2020 by motion of Council Auditor Davila and seconded by Mayor Bernal.

Total of Checks: \$2,431,960.01

Voids: (\$ 0.00)

Total Payroll Deductions: \$ 284,747.24

Grand Total: \$2,147,212.77

X. Adjournment

Mayor Bernal adjourned the meeting in memory of Jesus Alberto Vargas, South Gate Resident at 9:52 p.m. and seconded by Council Member Davila.

PASSED and **APPROVED** this 10th day of March, 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