

CITY OF SOUTH GATE  
REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, March 28, 2017

3/28/2017 - Minutes

**I. Call to Order/Roll Call with Invocation & Pledge**

CALL TO ORDER - Mayor W.H. (Bill) De Witt called a Regular City Council meeting to order at 6:36 p.m.

INVOCATION - Reverend Sean Pica, Redeemer Lutheran Church led the Invocation.

PLEDGE OF ALLEGIANCE - South Gate Girl Scouts Troop 16325 led the Pledge of Allegiance.

ROLL CALL - Carmen Avalos, City Clerk

**II. City Officials**

Mayor W.H. (Bill) De Witt, Vice Mayor Maria Davila, Council Member Maria Belen Bernal, Council Member Gil Hurtado and Council Member Jorge Morales; City Treasurer Gregory Martinez, City Manager Michael Flad, City Attorney Raul F. Salinas

**III. Meeting Compensation Disclosure**

**IV. Proclamations, Certificates, Introductions and Ceremonial Actions**

**1. Recognition Plaques For Mayor W.H. (Bill) De Witt And Council Member Gil Hurtado For Their Years Of Dedicated Service On The City Council**

The City Council presented a recognition plaque to W.H. (Bill) De Witt in recognition for his 23 years of instrumental and unyielding leadership during his years as Mayor, Vice Mayor and Council Member; and

a. Presented a recognition plaque to Gil Hurtado in recognition for his 12 years of leadership during his years as Mayor, Vice Mayor and Council Member.

**2. Business Recognition Plaque To Koos Manufacturing For Their Contributions To The Community**

The City Council presented a recognition plaque to Jerry Leon, Plant Manager from Koos Manufacturing, Inc., for their outstanding and invaluable contributions to the South Gate Community.

RECESS The City Council recessed at 7:40 p.m., and reconvened at 7:58 p.m., with all Members of Council present.

**V. Public Hearings**

**3. Ordinance Adding New Section 11.28.020 (Hollydale Village Specific Plan) To The South Gate Municipal Code And Resolution Approving The Initial Study And Negative Declaration Pertaining To The Hollydale Village Specific Plan**

EXCUSED FROM ITEM 3 At this time, Mayor De Witt and Council Member Morales were excused from participating on item 3 and departed from the Council Chambers.

The City Council conducted a Public Hearing to consider:

a. The Planning Commission's proposed changes pertaining to Live Entertainment, Alcohol Sales as Part of a Restaurant and E-Cigarettes/Vapor/Smoke Shops/Hookah, and provide staff with direction as to which, if any, of the modifications should be made to the final Hollydale Village Specific Plan document;

b. Waiving the reading in full and introducing an Ordinance - adding new Section 11.28.020 (Hollydale Village Specific Plan), to Chapter 11.28 (Specific Plans), to Title 11 (Zoning), to the South Gate Municipal Code; and

c. Adopting a Resolution - approving the Initial Study and Negative Declaration, dated March 2, 2017, pertaining to the Hollydale Village Specific Plan.

Item 3 was continued by motion of Vice Mayor Davila and seconded by Council Member Hurtado.

ROLL CALL: Vice Mayor Davila, yes; Council Member Hurtado, yes; Council Member Bernal, yes; Mayor De Witt, was not present for discussion on the matter; Council Member Morales, was not present for discussion on the matter.

REJOINED/EXCUSED FROM MEETING - Council Member Morales rejoined the Council prior to the discussion on this matter and Mayor De Witt left for the remainder of the evening.

**VI. Comments from the Audience**

Virginia Johnson, 5751 McKinley Avenue will miss Bill and Gil.

Eva Ledesma, 9312 Victoria Avenue thanked Gil Hurtado for his support on community meetings. She expressed disappointment of the elected officials as a result of press conference. Mrs. Ledesma also questions why there was no press conference when Mrs. Bernal was appointed as Council Member.

Sandra Ponce, 5318 Almira Road stated that residents complained about the lack of involvement from City Officials.

Hilda Lomeli de Morales, 8938 Madison Avenue is unhappy, disappointed and angry as to how the elections were run. She is requesting that the press conference be discussed. She is concerned about the lack of public input to the press conference.

Joshua Barron, 8819 Beaudine Avenue chastised people who were part of the press conference.

Christina Montalvo, 9815 Virginia Avenue stated running for office was a full-time job with no compensation. She congratulated everyone for running. She mentioned that anyone can request financial reports from the Clerk's Office.

Henry C. Gonzalez, 10210 Alexander Avenue addressed City Council on election matters. He noted that the election was conducted by the County. Additionally, he indicated that there were folks who were both upset and happy at the election outcome. He congratulated the winners and wished Bill De Witt a happy retirement.

Adolfo Varas, 3375 Wisconsin Avenue supported Mr. Gonzalez's comments and was happy about the election results.

Sonia Figueroa, 3524 Duane Way congratulated all officials that represent the City. She is requesting that all city official display honesty and is concerned about statements that were made at a meeting regarding charter schools.

Ms. Figueroa thanked Gil, Maria and Jorge for making time to visit schools and participate in community meetings.

Nick Godoy, 8611 San Gabriel Avenue requested speedometer checks on San Gabriel Avenue. He reported graffiti and was unaware City Hall was closed on Monday for Cesar Chavez Day. Lastly, he recommended City Hall be opened on Fridays.

Greg Martinez, 2603 Ohio Avenue stated that he will not be posting anything on Facebook and would speak to members personally. He expressed his views on political action committees and the negative impact they may have.

Gil Hurtado expressed his discontent with the March election and clarified his stance on choosing to run for City Clerk. He added that he would be calling for an investigation of several matters pertaining to the March election.

## **VII. Reports and Comments From City Officials**

Arturo Cervantes, Director of Public Works had nothing to report.

Paul Adams, Director Parks & Recreation had nothing to report.

Joe Perez, Director of Community Development had nothing to report.

Jackie Acosta, Director of Administrative Services stated that the on-line utility billing went live that morning.

Randy Davis, Chief of Police had nothing to report.

Mike Flad, City Manager had nothing to report.

Raul F. Salinas, City Attorney had nothing to report.

Gregory Martinez, City Treasurer had nothing to report.

Carmen Avalos, City Clerk appreciates the feedback received tonight and expressed her commitment to open door policy. She indicated that the March 7th election results were certified on Tuesday, March 21st. The newly elected officials will be sworn in at the April 11th City Council meeting and election results for the City's official records will be received at that meeting as well. Lastly, she informed the Council that she would be attending a City Clerk's conference next week and welcomed the public to make an appointment to discuss the issues brought up at tonight meeting.

Council Member Bernal clarified her position as she had been attacked during public comment. She noted that she had worked for Assembly Member Marco Firebaugh and via that opportunity was able to meet many people from the community. She met Cyndi Esquivel while working at the Legal Aid Foundation of Los Angeles. Ms. Esquivel recommended she run for City Treasurer, as the former Treasurer was not going to run for re-election.

Council Member Bernal ran for the City Treasurer position in 2009. She again ran in 2013 and the City Treasurer position was uncontested. She mentioned that in December 2014 Council adopted a resolution to appointing three City Council Members and cancelling the 2015 election.

Vice Mayor Davila interrupted Council Member Bernal and informed her that this section is for reports regarding events or meetings they attend.

Council Member Bernal will respect Vice Mayor Davila's request. She just wanted the community to know that three Council Members were appointed (Jorge Morales, Maria Davila and herself). She didn't appoint herself as a Council Member.

Council Member Bernal attended the HUB Cities Consortium meeting and they are thinking of creative ways to bringing in additional revenue.

Council Member Morales noted that as Chair of the Legislative Committee for California Contract Cities he has spoken about SB 35 by Senator Scott Wiener out of San Francisco has some opposition. He also mentioned a few other bills that will impact local control as it relates to housing (AB 72 by Assembly Member Miguel Santiago from Downtown Los Angeles; AB 678 by Assembly Member Raul Bocanegra; SB 167 by Senator Member Nancy Skinner from Berkeley and AB 352 by Assembly Member Santiago which he believes will

not impact communities like South Gate. This bill would force cities to permit tiny apartments.

Council Member Morales stated that SB 540 by Senator Member Richard Roth of Riverside is being supported.

Vice Mayor Davila mentioned that she, a couple of businesses and teachers were discussing and reviewing the Golden Ribbon at the International School. She also attended the STEAM Science Fair at Legacy High School and yesterday she met with parents at South Gate Middle School regarding the meaning of parent volunteering.

EXCUSED FROM THE MEETING At 10:20 p.m., Council Member Hurtado requested to be excused from the meeting and departed the Council Chambers.

## **VIII. Consent Calendar Items**

### **4. Ordinance No. 2335 Amending Section 1.04.065.2 (Salary Of Members - Compensation) Increasing The City Council's Monthly Salary And Resolution Amending The Benefits Of City Council Members**

The City Council waived the reading in full and introduced Ordinance No. 2335 entitled – An Ordinance of the City Council of the City of South Gate, California, amending Section 1.04.065.2 (Salary of Members - Compensation), to Chapter 1.04 (City Council), to Title 1 (Administration and Personnel), of the South Gate Municipal Code increasing the City Council's monthly salary; and

a. Adopted Resolution No. 7751 entitled – A Resolution of the City Council of the City of South Gate amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) amending the benefits of City Council members, (as amended) by motion of Vice Mayor Davila and seconded by Council Member Morales.

AMENDMENT: Modify communication allowance to \$100 from the \$150 indicated.

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

### **5. Resolution Determining David Kochmanski Is Entitled To An Industrial Disability Retirement**

The City Council adopted Resolution No. 7752 entitled - A Resolution of the City Council of the City of South Gate determining that David Kochmanski is entitled to an industrial disability retirement, within the meaning of the Public Employees' Retirement Law, arising out of and in the course of his employment, during consideration of the Consent Calendar; and

a. Authorizing the California Public Employees' Retirement System (CalPERS) to process the Disability Retirement application of David Kochmanski, Police Officer.

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

### **6. Resolution Approving The Top Management Salary Pay Tables**

The City Council adopted Resolution No. 7753 entitled - A Resolution of the City Council of the City of South Gate approving the Top Management pay tables, by motion of Council Member Morales and seconded by Vice Mayor Davila.

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

### **7. Resolution Approving The Recertification Of The Sewer System Management Plan Dated January 30, 2017**

The City Council adopted Resolution No. 7754 entitled - A Resolution of the City Council of the City of South Gate approving the recertification of the Sewer System Management Plan as required by the State Water Resources Control Board's in their "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Order No. 2006-0003-DWQ as amended by WQ 2013-0058-EXEC", by motion of Council Member Morales and seconded by Vice Mayor Davila; and

a. Receiving and filing the Sewer System Management Plan dated January 30, 2017.

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

### **8. Resolution Declaring The City's Intention To Grant A Ten-Year Term Franchise Agreement To Pacific Pipeline System, LLC**

The City Council adopted Resolution No. 7755 entitled - A Resolution of the City Council of the City of South Gate declaring the City's intention to grant a ten-year term franchise to Pacific Pipeline System, LLC, a Delaware Limited Liability Company, to lay and use pipes, ditches, flumes, conduits and appurtenances for transmitting and distributing oil and oil 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, and setting a Public Hearing for April 25, 2017, to consider the introduction of an Ordinance granting the proposed franchise agreement, by motion of Council Member Morales and seconded by Vice Mayor Davila.

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

### **9. Agreement With Kennedy/Jenks Consultants To Prepare The City Of South Gate Water, Recycled Water, And Sewer Master Plan**

The City Council approved Professional Services Agreement (Contract No. 3314) with Kennedy/Jenks Consultants to prepare the City of South Gate Water, Recycled Water, and Sewer Master Plan, in an amount not to exceed \$334,350, during consideration of the Consent Calendar; and

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

**10. Purchase Order With National Auto Fleet Group For The Purchase Of Five Pursuit Vehicles, Installation Of Emergency Equipment, And Purchase Of Radio Equipment And Installation**

The City Council approved Purchase Order with National Auto Fleet Group for the purchase of five pursuit vehicles for the Police Department in the total amount of \$220,149, which includes the purchase and installation of necessary emergency equipment, by motion of Vice Mayor Davila and seconded by Council Member Morales; and

- a. Approved Purchase Order with Advanced Electronics/BearCom for the purchase of radio equipment, including installation, labor and programming to outfit these five pursuit vehicles, in the total amount of \$44,278.

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

**11. Notice Of Completion For The Area 5 Picnic Area At South Gate Park Effective March 17, 2017**

The City Council accepted completion of construction, effective March 17, 2017, of the Area 5 Picnic Area as part of the South Gate Park Infrastructure Improvements, City Project No. 488-PRK, performed by Monet Construction, Inc., during consideration of the Consent Calendar; and

- a. Instructed the City Clerk to file the Notice of Completion with the Los Angeles County Recorder's Office.

**12. Letter To LAUSD Opposing Proposed Plan To Add Students To South Gate Middle School Due To Health And Safety Concerns Of Existing Facilities**

The City Council accepted completion of construction, effective March 17, 2017, of the Area 5 Picnic Area as part of the South Gate Park Infrastructure Improvements, City Project No. 488-PRK, performed by Monet Construction, Inc., during consideration of the Consent Calendar; and

- a. Instructed the City Clerk to file the Notice of Completion with the Los Angeles County Recorder's Office.

**13. Minutes**

The City Council Approved the Special and Regular Meeting minutes of February 14, 2017, during consideration of the Consent Calendar; and

- a. Approved the Special and Regular Meeting minutes of February 28, 2017.

**IX. Reports, Recommendations and Requests**

**14. Appropriation To Fund The Atlantic Avenue/Boulevard Corridor Study And Appointments To Serve On The Atlantic Avenue/Boulevard Corridor Cities Committee**

The City Council considered:

- a. Appropriating \$22,855 of unassigned Measure R funds to Account No. 224-780-31-6101 to fund the Atlantic Avenue/Boulevard Corridor Study; and
- b. Appointing City Council Members to serve as the representative and alternate representative to the Atlantic Avenue/Boulevard Corridor Cities Committee; and
- c. Appointing the Director of Public Works/City Engineer as the primary representative and the Assistant City Engineer as the alternate representative to the Atlantic Avenue/Boulevard Corridor Technical Advisory Committee.

Item 14 was continued to the City Council meeting of April 25, 2017 by motion of Vice Mayor Davila and seconded by Council Member Morales.

**15. Warrants**

The City Council approved the Warrants and Cancellations for March 28, 2017, by motion of Council Member Auditor Bernal and seconded by Vice Mayor Davila.

Total of Checks: \$2,700,685.44  
Voids \$ (8,732.00)  
Total of Payroll Deductions: \$ (337,226.15)  
Grand Total: \$2,354,727.29

Cancellations: 68907, 68909, 68725, 69100

ROLL CALL: Vice Mayor Davila, yes; Council Member Morales, yes, Council Member Bernal, yes; Mayor De Witt, absent; Council Member Hurtado, absent.

**X. Adjournment**

Vice Mayor Davila adjourned the meeting in memory of Arturo Valtier, long time South Gate resident at 11:28 p.m. and seconded by Council Member Bernal.

**PASSED and APPROVED** this 11th day of April, 2017.

