

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

**Tuesday, October 13, 2020**

10/13/2020 - 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 6:40 p.m.

INVOCATION: Reverend Sean Pica, Redeemer Lutheran Church

PLEDGE OF

ALLEGIANCE: Joe Perez, former Director of Community Development

ROLL CALL: Carmen Avalos, City Clerk

**II. City Officials**

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

**COVID 19 Meeting Procedures**

**III. Meeting Compensation Disclosure**

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

**1. Proclamation To Joe Perez In Recognition Of His Four Years Of Dedicated Service**

The City Council issued a Proclamation to Joe Perez in recognition for his four years of dedicated service to the City and to wish him well in his future endeavors.

**2. Proclamation Declaring The Month Of October 2020 As National Domestic Violence Awareness Month**

The City Council issued a Proclamation declaring the month of October 2020, as National Domestic Violence Awareness Month in the City of South Gate.

**3. Proclamation Declaring The Month Of October 2020 As National Crime Prevention Awareness Month**

The City Council issued a Proclamation declaring the month of October 2020, as National Crime Prevention Month in the City of South Gate.

**4. Certificates Of Appreciation To 19 Recipients Of The Commission For South Gate Youth Scholarships**

The City Council presented Certificates of Appreciation to 19 students in recognition of being selected as the 2020 Commission for South Gate Youth scholarship recipients.

**5. Appointments To The City Council Waste Management Subcommittee**

The City Council unanimously selected Mayor Davila and Council Member Diaz to serve on the Waste Management Subcommittee 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.

## **V. Public Hearings**

### **6. Resolutions Approving Three Affordable Housing Waivers For The Legacy Apartments Project And An Affordable Housing Agreement With 10130 Adella LLC**

The City Council conducted a Public Hearing and discussed Item 6. The City Council did not approve A, B, and C by motion of Council Member Avalos and seconded by Vice Mayor Rios.

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

a. Accepting the determination that the Legacy Apartments is exempt under California Environmental Quality Act (CEQA) Article 19 (Categorical Exemptions) 14 CCR § 15332, In-Fill Development Projects, Class 32;

b. Adopting Resolution No. approving three (3) affordable housing waivers, as permitted by South Gate Municipal Code Section 11.31.050 (Incentives), for the Legacy Apartments to be located at 10130 Adella Avenue in South Gate (APN: 6221-026-020), to include twelve (12) affordable units to low income households for no less than 55 years; and

c. Adopting Resolution No. approving the Affordable Housing Agreement (Contract No.) with 10130 Adella LLC for the Legacy Apartments to be located at 10130 Adella Avenue in South Gate.

Dianne Guevara, Interim Director of Community Development provided a power point presentation.

Dave Mossman, representative for the developer, gave a brief presentation on this project.

Vice Mayor Rios asked how a \$90,000 amount is determined low-income.

Ms. Guevara responded that the City follows HUD guidelines and the \$90,000 is designated the medium income for families in Los Angeles County.

Vice Mayor Rios asked what the rent is going to be for the low income units.

Mr. Mossman responded that the time frame of construction will be approximately three years from now. The one bedroom units will be approximately \$1,469 and the two bedroom units will be approximately \$1,777.

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

Robert Montalvo, 9815 Virginia Avenue, is concerned with the contaminated soil and the cost of the units.

Liz Ruiz, is concerned about the contaminated soil on the property and the environmental effects of the future residents of the apartments.

Cyndi Bendezu Palomino, supports inclusionary housing and has concerns with the contaminated soil.

Alex Campbell, Los Angeles Unified School District, stated that the District is concerned with potential negative environmental impacts of the project due to the close proximity of the International Learning Center and Legacy High School. The District would like to be sure that proper precautions are taken for the health of the students during the time of construction.

Amanda Tapia, is concerned about the lack of availability of low income housing for this project and also as concerns about the soil contamination. She would like to see the City have a better policy regarding housing regulations.

Jim Torres, 11106 Oklahoma Avenue, is concerned with the multi-story building and the impact of putting so many people in a small area.

Lupe Perez, Almira Road, is concerned with soil contamination and does not think that this project would benefit the community.

Veronica Hernandez, is concerned with the high cost of the rent and does not think that this project will benefit the residents of South Gate. She would like the City Council Members to do a better job providing the residents of South Gate all the information needed and put people over profits.

Art Alvarez, is concerned with the dust and contamination. Mr. Alvarez participated in the Planning Commission meeting when this item came up and his concerns over traffic was never addressed.

Diana Morales, representative for Assembly Member Anthony Rendon, stated that Assembly Member Rendon recognizes the City's efforts to increase the number of affordable housing but would like to see the number of units for affordable housing increase for this project.

Julie is concerned with the soil contamination and rental prices. She states that South Gate is a victim of Environmental Racism and that the City Council should consider people over profit.

A resident called in to support inclusionary housing and stated that the rent for these units is not feasible. 15% low income units is not enough for this project.

Marianna Cid is concerned with soil contamination and stated that the City needs to do a better job in taking care of the residents.

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

Council Member Avalos asked if an environmental evaluation was conducted and next

steps for the land cleanup. Secondly, she inquired if the community involved in the development of the project? In particular, those that will be heavily impacted by the new development.

Ms. Guevara explained that with any new development in the City, staff ensures a review of all environmental findings. The residents in the area are notified of all Public Meetings regarding the project. The developer has been working with environmental consultants to analyze the site. Phase One and Phase Two environmental analysis have been completed. They have developed a corrective measure study and remediation plan. The developers are taking all the necessary steps to move forward. The City has also been working with their environmental consultant Mark Blodgett on this item.

Mr. Blodgett responded that the developer is handling the remediation of the property and per his studies traffic, noise and air quality are all low impact in this area.

Vice Mayor Rios has concerns with traffic and parking in the area.

Mr. Flad explained that this item is not going back to the Planning Commission. In regards to traffic and parking this project meets code. This developer meets the requirements set forth by the City's General Plan. By right this developer can build this project and require no discretionary action of the Council. The developer has purchased this property and the property has a set of rules attached to the property which the developer has met. The affordability of the units is a matter for this public hearing and if the Council feels that the affordability that is put forth by the developer in both the number of units and level of income that is meant to qualify which is reasons for recommending not moving forward with the requested exemptions.

Mr. Flad clarified that even if the Council say no the development might not stop. What stops is the twelve units of affordability and the requested waivers. Based on the developer this development can move forward changing their decision from 12 affordable units to zero affordable units and the complex will still include 78 units. This is not a government project this is a private development.

Vice Mayor Rios stated that he still has concerns and is not ready to support this project even though it does meet the code requirements.

Council Member Hurtado stated that in 2009 our City adopted a General Plan that sets the guidelines for developers follow. Many things have changed since then and we might want to look at what it would take to update the General Plan. If you take into consideration that the state is forcing Cities to have more affordable housing and HUD sets the amounts of what qualifies for low income, we find ourselves stuck with a project that the developer can do with or without our consent.

Council Member Diaz stated that she has concern regarding the environmental cleanup and traffic in the area. Moving forward she agrees that the City might need to look at ways to update the General Plan.

Mayor Davila asked about dust control during the project.

City Attorney Salinas stated that all new developments receive standard conditions of approval as part of the City permit process and this is covered in that process.

## **VI. Comments From The Audience**

Virginia Johnson, 5751 McKinley Avenue, stated that she hopes that City Council was able to meet with the representatives of Helpline Inc. to clarify the differences of services from the other organizations. Ms. Johnson also questioned the graffiti ordinance and if the City is covering the costs to remove graffiti from homes and businesses why are not more residents aware of this service. She has been reviewing the water quality report for South Gate and said that she found it met the state guidelines. Lastly, she thanked Council Member Hurtado and Dave Torres for driving through Area 5 to make note of the needs of this area of the City.

Amanda Tapia spoke on the press release issued by South Gate Police on distracted driving and is against the special enforcement.

Liz Ruiz, Nebraska Avenue, supports bringing green bins for waste to the City. She also spoke on the environmental issues facing the City and the water quality.

Ms. Sanchez is in support of bringing more affordable housing to the City.

Robert Montalvo, spoke on the recent posts on social media about the Mayor and political endorsements by the Council Members. He thanked the City Manager for his work in South Gate. He also hopes that the City Manager will reconsider his decision to leave and at least stay until the end of the year.

Steven is against the Police Departments distracted driving enforcement and said it is a clear example of over-policing.

Yvette Perez, Cyndi Bendezu, Veronica Hernandez and Alberto Avalos requested that the City Council denounce the Police Departments distracted driving enforcement program.

Adolfo Varas is excited that even in the time of a pandemic we can welcome a new business to the City of South Gate. Mr. Varas attended the opening of Temple Beauty Supply and Mini Mart on Saturday. He will also be working on the upcoming grand opening of Compator as they get ready to open their new facility on Tweedy Boulevard.

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

Randy Davis, Chief of Police stated that the Police Department did release a post from the California Office of Traffic Safety. The only violation that South Gate Police Department will be enforcing is hands free cell phone use which is a California State law. There is no other ordinance by the City of South Gate. The other items listed on the press release are simply tips included by the California Office of Traffic Safety.

Steve Costley, Interim Parks and Recreation informed everyone that on October 24th Anthony Rendon's office will be giving away 1,000 pumpkins at Hollydale Regional Park starting at 9:00 a.m.

Art Cervantes, Director of Public Works announced the start of the Garfield Avenue, Imperial Highway and Firestone Boulevard construction projects on October 19th. He invited the residents that have concerns about the City's water quality to contact him with any questions.

Dianne Guevara, Interim Director of Community Development stated that the City has a 68.5% reporting rate for the Census. On October 22nd there will be a virtual meeting for

CDBG funding for next Fiscal Year.

Mike Flad, City Manager reported that the City of South Gate has a cumulative total of 4,792 and our total number of deaths is 72. Mr. Flad thanked the Council for taking the time to recognize the efforts of Joe Perez and their support of staff.

Council Member Avalos attended the virtual expo from the League of California Cities. She is looking forward to working with the League to find ways to benefit the City.

Council Member Diaz also attended the virtual League of California Cities and the Vector Control Meeting. She also sits on the Latino Caucus for League of Cities which had an online celebration of their 30th anniversary.

Council Member Hurtado attended the Independent Cities Meeting and they discussed preparing for the upcoming budget. He thanked Dave Torres for going on the ride along throughout various areas of the City. Council Member Hurtado stated that he agreed with the speakers tonight about inclusionary housing and that Los Angeles County just passed the 20% inclusionary housing mark that they will be using for the unincorporated area. He also congratulated the South Gate Kiwanis Service Club that started having meetings this month.

Greg Martinez, City Treasurer stated that at the Budget Subcommittee meeting there was a lot of discussion about the homeless. He has been working at a Project Room Key with a service provider and he has noticed an increase in the homeless problem within the City. He would like to see some type of forum between the City and service providers to get more information on programs to assist with this issue.

Carmen Avalos, City Clerk reminded everyone to fill out the ballot. There are a number of ways to return the ballot whether you choose a ballot drop-off box, mail in, or take your ballot to a vote center.

Vice Mayor Rios, agrees with City Treasurer Martinez and wants to have a conversation about homeless issues. He reminded everyone to fill out the Census form and make a difference for South Gate. East Los Angeles College at the South Gate Campus will be having a laptop giveaway for students that need assistance. The college will also be working with HUB Cities to look for ways to help students get jobs and improve skills. Lastly, Vice Mayor Rios stated that the SELA Collaborative will be having a partners meeting tomorrow to gather input from community leaders.

Council Member Avalos asked if the City has a list of community members that have not filled out their Census form.

Ms. Guevara responded that because the data is confidential with the Census Bureau that information is not available. The City is able to get areas of the City that have had a low turn in rate and those areas are what staff has been focusing their efforts on.

Mayor Davila visited the Little Library on Aldrich Road which is run by two high school students. People can come and take a book to read and replace it with one they have already read. She also attended the grand opening of the Temple of Beauty and National Night Out.

## **VIII. Consent Calendar Items**

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Agenda Items 7, 8, and 11 were approved by motion of Vice Mayor Rios and seconded by Mayor Davila. Items 9 and 10 were pulled for separate discussion.

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

**7. Resolution Extending The City's Local Emergency As A Result Of The Ongoing COVID-19 Pandemic**

The City Council unanimously adopted Resolution No. 2020-36-CC entitled - A Resolution of the City Council of the City of South Gate, California, extending the Local Emergency within the City as a result of the ongoing Coronavirus Disease 2019 pandemic during Consent Calendar.

**8. Resolution Appointing Paul L. Adams As The Interim Community Development Director And Approving Employment Agreement**

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

a. Adopted Resolution No. 2020-37-CC entitled - A Resolution of the City Council of the City of South Gate, California, appointing Paul L. Adams as Interim Director of Community Development and approving Employment Agreement effective October 19, 2020; and

b. Authorized the Mayor to execute the Employment Agreement (Contract No. 2020-99-CC) in a form acceptable to the City Attorney.

**9. Amendment No. 1 To Contract No. 3153 With Fiesta De Carnival Extending The Term For An Additional Year**

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

a. Approved Amendment No. 1 to Contract No. 3153 with Fiesta de Carnival extending the Concession Agreement for the Production of Special Event Carnivals through December 31, 2021; and

b. Authorized the Mayor to execute Amendment No. 1 in a form acceptable to the City Attorney.

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

**10. Purchase Order To MGT Consulting For Four Firewall Installation Services And One Year Of Maintenance**

The City Council unanimously authorized the issuance of a Purchase Order to MGT Consulting, in the amount of \$102,736.15, for four (4) firewalls, firewall installation services and one (1) year of maintenance by motion of Vice Mayor Rios and seconded by Council Member Avalos.

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

**11. Minutes**

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

- a. Regular and Special City Council Meeting minutes of September 8, 2020; and
- b. Regular and Special City Council Meeting minutes of September 22, 2020.

## **IX. Reports, Recommendations And Requests**

### **12. Summary Report Of The Free Public WiFi Access In The Tweedy Mile District And South Gate Park Areas And Direction To Staff**

The City Council continued to the next meeting.

- a. Receiving and filing a summary report pertaining to the free public wireless (Wi-Fi) network access in the Tweedy Mile District and South Gate Park areas; and
- b. Selecting one of the options below on how to proceed with implementing the free public Wi-Fi access in these two designated areas:
  1. The First Option is to move forward with implementing the free public Wi-Fi access independently and issue a Request for Proposals (RFP); OR
  2. The Second Option is to move forward with working with Spectrum/Charter Communications under a Public Private Partnership; OR
  3. The Third Option is to move forward with both the RFP process and continue working with Spectrum/Charter Communications as a paralleled approach.

### **13. Warrants**

The City unanimously approved A and B by motion of Council Auditor Avalos and seconded by Mayor Davila.

- a. Approved Check No. 90041 from September 22, 2020.
- b. Approved the Warrant register for October 12, 2020.

Total of Checks: \$4,145,426.73

Voids: (\$ 30,817.03)

Total Payroll Deductions (FY 2020/21) (\$ 661,488.37)

Grand Total: \$3,453,121.33

Cancellations: 85531, 88892, 89582, 89664, 89840, 90086, 90129, 90159

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

## **X. Adjournment**

Mayor Davila adjourned the meeting at 10:55 p.m. and seconded by Council Member Avalos.

**PASSED** and **APPROVED** this 27th day of October, 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](http://www.cityofsouthgate.org)