

CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING MINUTES

Tuesday, June 8, 2021

6/8/2021 - Minutes

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

CALL TO ORDER Al Rios, Mayor called a Regular City Council meeting to order at 6:37 p.m.

INVOCATION Maria del Pilar Avalos, Vice Mayor

PLEDGE OF

ALLEGIANCE Grace Martin, Interim Community Development Director

ROLL CALL Carmen Avalos, City Clerk

II. City Officials

PRESENT Mayor Al Rios, Vice Mayor Maria del Pilar Avalos, Council Member Maria Davila, and Council Member Gil Hurtado; City Treasurer Gregory Martinez; Interim City Manager Chris Jeffers, City Attorney Raul F. Salinas

ABSENT Council Member Denise Diaz

COVID 19 Meeting Procedures

III. Meeting Compensation Disclosure

IV. Public Hearings

1. Ordinance Changing The City's Municipal Election Date To The November Statewide General Election Cycle, Effective In 2022

The City Council conducted a Public Hearing and waived the reading in full and introduced Ordinance No. 2021-06-CC entitled - An Ordinance of the City Council of the City of South Gate, California, changing the date of the City's General Municipal Election from the March Statewide Primary Election cycle to the November Statewide General Election cycle, effective in 2022, and continuing thereafter in even numbered years by motion of Vice Mayor Avalos and seconded by Council Member Davila.

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

Carmen Avalos, City Clerk provided the staff report for this item.

Mayor Rios opened the Public Hearing. Seeing no one come forward the Mayor closed the Public Hearing.

2. Ordinance Amending Section 13.100 (Solid Waste Handling And Recycling Services)

The City Council opened the Public Hearing and continued consideration of Ordinance adding certain sections to Chapter 13.100 (Solid Waste Handling and Recycling Services), of Title 13 (Franchises), of the South Gate Municipal Code, to the City Council Meeting of July 13, 2021, by motion of Council Member Davila and seconded by Council Member Hurtado.

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

Mayor Rios opened the Public Hearing. Seeing no one come forward the Mayor closed the Public Hearing.

3. Ordinance Authorizing The City's Public, Educational And Governmental Programming Access Support Fee

The City Council conducted a Public Hearing and waived the reading in full and introduced Ordinance No. 2021-07-CC entitled - An Ordinance of the City Council of the City of South Gate, California, establishing the City's public, educational, and governmental programming access support fee on state-franchised video service providers operating within the City of South Gate by motion of Council Member Hurtado and seconded by Mayor Rios.

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

Marina Urias, Management Analyst provided the staff report for this item.

Mayor Rios opened the Public Hearing and asked if anyone in the audience wishes to speak on this item.

Adolfo Varas asked if the Spectrum channel will be providing a live broadcast of the City Council Meetings.

Cindy Esquivel asked which service customers would be charged the fee and stated that she disagrees with implementing another tax.

Ms. Urias responded that the fee is exclusively for cable subscribers with Spectrum.

Seeing no further comments the Mayor closed the Public Hearing.

Ms. Urias stated that the City currently does not video record the council meetings and only has the equipment for audio recordings. However, one of the goals of the City is to video record the meetings for cable, social media and YouTube.

Vice Mayor Avalos asked is the rescue plan funds could be used for this and clarified that the charge will only be for the cable portion of a customer's Spectrum bill.

Chris Jeffers, Interim City Manager responded that it does not appear that these funds can be used for this.

EXCUSED FROM MEETING At this time, Council Member Davila recused herself from Item 4 and left the call.

4. Resolution Ordering The Levy Assessments For Fiscal Year 2021/22 For The Tweedy Mile Parking And Business Improvement District

The City Council conducted a Public Hearing and adopted Resolution No. 2021-25-CC entitled - A Resolution of the City Council of the City of South Gate, California, ordering the levy and collection of assessments for Fiscal Year 2021/22 for the Parking and Business Improvement Area (known as the Tweedy Mile Business District) Business License, as permitted by the Parking and Business Improvement Area Law of 1989 (California Streets And Highways Code Section 36500 et seq.) by motion of Council Member Hurtado and seconded by Mayor Rios.

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

Marina Urias, Management Analyst and Chris Jeffers, Interim City Manager provided the staff report for this item.

Mayor Rios asked if in the past the City has been receiving the assessment fee without going through the process.

Mr. Jeffers responded unfortunately yes.

Council Member Hurtado asked when the last time this protest vote was done.

Mr. Jeffers responded that we do not have any records of a protest vote being taken.

Council Member Hurtado asked if this is a requirement of the City or an outside agency (County or State).

Mr. Jeffers answered that State legislature passed the law in the 1980's.

Council Member Hurtado stated that he has received comments from members of the Tweedy Mile that staff hates Tweedy Mile. He finds this a disservice because it is a requirement that must be done but was not done in the past.

Council Member Hurtado requested that the City Manager set up a meeting with himself and the president of the Tweedy Mile to discuss various accusations that have come up with this process.

Vice Mayor Avalos added that she was also contacted by several of the merchants on Tweedy Mile stating that the letter was not clear on the process of the protest and that they have reached out to the board members of Tweedy Mile with no response.

Vice Mayor Avalos would also like to be included in the meeting with Tweedy Mile.

Mayor Rios asked the City Manager to clarify the letter sent by the City.

Mr. Jeffers presented and read into the record the letter.

Mayor Rios asked for clarification on the time frame for approving this item.

Mr. Jeffers explained that if this item is not approved tonight the City would not be able to collect the \$22,000 in assessments with the renewal of the Business License due July 1st.

Mayor Rios opened the Public Hearing and asked if anyone in the audience wishes to speak on this item.

Adolfo Varas is concerned with the handling of the money within the organization and the services the Tweedy Mile provide the businesses.

Jenny Perez stated that the letter from the City was not clear. There was a request for a vote from the business members and agrees that there needs to be more transparency with the Tweedy Mile.

Evan Greenspan stated that he is disappointed that he is hearing so many untrue statements about the Tweedy Mile. Mr. Greenspan explained some of the activities provided by the board members.

Bash also spoke on the activities Tweedy Mile provides for the businesses.

Cindy Esquivel asked if this agenda item being handing out resulted in any money being taken away from Tweedy Mile.

Raul F. Salinas, City Attorney answered no.

Vice Mayor Avalos motioned to not impose the levy given the fact that there is still \$31,000 held by the Tweedy Mile District.

Seeing no one come forward the Mayor closed the Public Hearing.

Vice Mayor Avalos withdrew her motion to allow the Mr. Jeffers to report the results of the vote taken by the members of the Tweedy Mile.

Mr. Jeffers announced that there were not enough protest votes received. The City Council now has two options. They can choose to proceed with the implementation of the levy or they could choose not proceed.

Council Member Hurtado again inquired to City Manager about continuing the item due to information provided to the business owners not being clear.

Mr. Jeffers again stated that if the matter is not resolved tonight the City cannot include the levy on the business license renewal.

Due to these circumstances Council Member Hurtado motioned to approve the levy which was seconded by Mayor Rios.

Mr. Salinas asked if the item could be tabled and brought back during tonight's City Council meeting in order to confirm the vote of a quorum as only 3 members of Council participated in this item.

After the conclusion of Public Comment and Reports from Staff Mr. Salinas stated that Government Code 36936 states that whenever the City Council of a general law city is attempting to pass a Resolution it requires the majority vote of the member. In this case the majority vote of the membership would be three of the council members with two of the Council Members voting in support of the resolution then the resolution would not be approved. The vote taken by the Council for Item #4 resulted in a 2 to 1 vote which is not a majority of the membership of the City Council. The motion does not pass.

Vice Mayor Avalos requested that Item 4 be brought back for reconsideration.

Council Member Davila recused herself from participating on this item. Council Member Davila left the meeting at 10:12 p.m. for a second time.

Council Member Hurtado motioned that Item 4 be brought back for reconsideration and seconded by Mayor Rios.

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

Vice Mayor Avalos requested a list of businesses that are part of the Tweedy Mile. Vice Mayor Avalos motioned to change her vote on Item #4 (adopting Resolution No. 2021-25-CC ordering the levy and collection of assessments for Fiscal Year 2021/22 for the Parking and Business Improvement Area) from a no to a yes and seconded by Council Member Hurtado.

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

REJOINED MEETING City Council Davila rejoined the Council prior to the discussion on this matter.

V. Comments From The Audience

Virginia Johnson, 5751 McKinley Avenue spoke about the upcoming housing project at the Downey and South Gate boarder.

Bash encouraged business owners on the Tweedy Mile to volunteer and contribute their new ideas. He would also like to see the City improve the condition of the Boulevard.

Anna, South Gate Chamber of Commerce welcomed Grace Martin to the City of South Gate. She stated that the CDBG Grant for small businesses are getting close to the deadline. Many members of the Chamber of Commerce have had their businesses vandalized and she introduced the business owner of 3469-3483 Tweedy Boulevard to discuss his concerns.

Yu Chung, Tweedy Mile Business Owners explained that he has 5 buildings with broken windows and doors. He can not open for normal business because it is not safe for customers. He was notified by Tweedy Mile that there are no funds available to support his business.

Adolfo Varas spoke about Juneteenth and the LGBT Community and the ways that the City can support initiatives and resources.

Carmen Avalos, City Clerk reminded Council that Mr. Varas invited everyone to have this dialog but please be aware that two or more council members will be a violation of the Brown Act if any City business is discussed. Request that they be cautious.

Patricia Camacho, Congresswoman Barragan's Office announced that the House Commission on Transportation approved the first draft of several anticipated projects for Congressional District #24. If approved there are two projects that will benefit the City of South Gate. The two projects for South Gate are the Garfield Avenue Complete Streets and the West Santa Ana Branch Corridor.

VI. Reports And Comments From City Officials

Chief Davis reported that the Police Department will reach out to the businesses on the Tweedy Mile and the Chamber of Commerce about the vandalism reports.

Grace Martin, Interim Director of Community Development announced that there is new planning staff member who joined the City last week and we will also be bringing on another new staff member this week.

Glenn Massey, Parks Superintendent announced that this weekend the Tree People of Greater Los Angeles will be giving away free fruit trees. There is a limit of one tree per family.

Carmen Avalos, City Clerk announced that a there will be a new public records portal that will help facilitate the public with public record requests in the City Clerk's Office. Additionally, as a result of the problem we are having with the power, Ms. Jenny Perez was dropped during public comment and is now back on. Ms. Perez is requesting to be allowed to speak.

Mayor Rios responded that he would like to finish reports from staff and Council then he will open it up to Ms. Perez.

Council Member Hurtado attended an ICFA meeting. ICFA had an election for the Board Members and approve the refinancing of a manufactured home community in Palm Springs. This weekend was the bulk item and hazardous waste event with Waste Management and it was very well attended.

Council Member Hurtado spoke about the handouts regarding funding for the Tweedy Mile Association and the \$75,000 of grant money that is being administered by the Tweedy Mile Association for the businesses of South Gate.

Vice Mayor Avalos attended the bulk item and hazardous waste event with Waste Management, the grand opening of Champas Pupusas on Imperial Highway and the Southeast Water Coalition Meeting.

Mayor Rios encouraged residents to talk to their doctors and get vaccinated. The Mayor stated that MTA is moving forward on free ridership for students K-12 hopefully starting in August and September. Northgate is having their opening for the public on June 16th and they are donating \$17,000 to South Gate youth organizations and schools.

VII. Consent Calendar Items

Agenda Items 5, 6, 7, 8, 9, 10, 11, and 12 were approved by motion of Vice Mayor Avalos and seconded by Council Member Davila. Council Member Hurtado recused himself from voting on Item 8. Item 13 was pulled for separate discussion.

Roll Call: Mayor Rios, yes; Vice Mayor Avalos, yes; Council Member Davila, yes, Council Member Hurtado, yes (Item 8 - recused) and Council Member Diaz, absent

5. Amendment No. 1 To Contract No. 2020-42-CC With Bet Tzedek Extending The Term

The City Council approved A and B during consent calendar.

a. Amendment No. 1 to Contract No. 2020-42-CC, Community Development Block Grant Subrecipient Agreement with Bet Tzedek extending legal advocacy services to South Gate income-eligible small businesses through December 31, 2021; and

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

6. Amendment No. 1 To Contract No. 3451 With Merchants Building Maintenance Extending The Term

The City Council approved A and B during consent calendar.

a. Amendment No. 2 to Contract No. 3451 with Merchants Building Maintenance extending the term one year, through June 30, 2022, to continue providing (i) Custodial and Maintenance Services for City facilities in an amount not to exceed \$236,866, and (ii) Temporary Additional Sanitation Services, required by COVID-19, on a month-to-month basis, for a not to exceed monthly amount of \$6,888, for up to 12 months; and

- b. Authorized the Mayor to execute Amendment No. 2 in a form acceptable to the City Attorney.

7. Amendment No. 1 To Contract No. 3444 With Honeywell Extending The Term

The City Council approved A and B during consent calendar.

- a. Amendment No. 1 to Contract No. 3444 with Honeywell International, Inc., extending the term one-year, through June 30, 2022, to continue providing Heating Ventilating and Air Conditioning (HVAC) Maintenance Services for City facilities in an amount not to exceed \$146,333; and

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

8. Amendment No. 1 To Contract No. 2020-18-CC With T.Y. Lin International Group For Additional Construction Management Services For The I-710 Soundwall Project

The City Council approved A and B during consent calendar.

- a. Amendment No. 1 to Contract No. 2020-18-CC with T.Y. Lin International Group to provide additional construction management and inspection services for the construction of the I-710 Corridor Soundwall Project, Caltrans Contract 07 298014, City Project Nos. 587-ST and 547-ST, in the amount of \$141,175; and

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

9. Notice Of Completion For The Well 19 Pump Repair

The City Council approved A and B during consent calendar.

- a. Accepted completion of construction of the Well No. 19 Pump Replacement, City Project No. 665-WTR, completed by the General Pump Company, Inc., effective April 16, 2021; and

- b. Directed the City Clerk to file the Notice of Completion with the Los Angeles County Registrar Recorder's Office.

10. Notice Of Completion For The City Hall Signage Project

The City Council approved A and B during consent calendar.

- a. Accepted completion of construction, effective April 23, 2021, of the City Hall Complex Exterior and Interior Wayfinding Signage Improvements Project, City Project No. 502-ARC, constructed by Tim Turner dba Turner Signs & Graphics; and

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

11. Notice Of Completion For The South Gate Police Department Parking Lot Expansion Project

The City Council approved A and B during consent calendar.

- a. Accepted completion of construction, effective April 30, 2021, of the South Gate Police Department Parking Lot Expansion Project, City Project No. 594-GEN, constructed by EC Construction Co.; and
- b. Directed the City Clerk to file a Notice of Completion with Los Angeles County Registrar Recorder's Office.

12. Excess Workers' Compensation Insurance With Safety National Casualty Corporation

The City Council approved A, B and C during consent calendar.

- a. Approved an excess workers' compensation insurance policy with Safety National Casualty Corporation, through Alliant Insurance Services, Inc., for a one-year term of July 1, 2021, through July 1, 2022, with a premium in the amount of \$140,674:
- b. Authorized payment, in the amount of \$140,674, to Alliant Insurance Services, Inc., for the policy issued by Safety National Casualty Corporation; and
- c. Authorized the Mayor to execute the "Request to Bind Coverage" in a form acceptable to the City Attorney.

13. Rejection Of All Bids For The Computer Aided Dispatch And Records Management Systems

The City Council rejected all bids received in the City Clerk's Office for the Computer Aided Dispatch and Records Management Systems Request For Proposals by motion of Council Member Hurtado and seconded by Mayor Rios.

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

VIII. Reports, Recommendations And Requests

14. Resolution Approving Administrative Regulation 109 Establishing The City's Social Media Policy

The City Council moved adopting a Resolution approving Administrative Regulation 109 establishing the City's Social Media Policy, effective immediately to the City Council Meeting of July 13, 2021, by motion of Council Member Davila and seconded by Council Member Hurtado.

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

EXCUSED FROM MEETING At this time, Council Member Hurtado recused himself from Item 15 and left the call.

15. Agreement With Griffin Structures, Inc., For Construction Management And Inspection Services Of The Urban Orchard Project

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

- a. An Agreement (Contract No. 2021-83-CC) with Griffin Structures, Inc., to provide construction management and inspection services for the Urban Orchard Project, City Project No. 539-PRK, in an amount not-to-exceed \$1,105,000; and
- b. Authorizing the Mayor to execute the Agreement in a form acceptable to the City Attorney.

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

16. American Rescue Plan Act Report

The City Council considered:

- a. Receiving and filing the American Rescue Plan Act (ARPA) of 2021 report; and
- b. Providing direction to staff on the proposed use of the City's estimated \$34.5 million allocation from the ARPA. Based on the City Council's direction, staff will prepare appropriate budgetary action for the City Council's consideration at a future meeting.

This item was moved to the City Council Meeting of June 22, 2021, by motion of Council Member Davila and seconded by Council Member Hurtado.

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

17. Presentation On The Long Beach Boulevard Street Improvements Project

The City Council received and filed a presentation on the Long Beach Boulevard Street Improvements Project, City Project No. 515-ST.

18. Warrants

The City Council approved the warrants with the exception of #92614 and #92718 by motion of Vice Mayor Avalos and seconded by Mayor Rios.

- a. Approving Check No. 92614 from May 25, 2021

b. Approving the Warrant Register for June 8, 2021

Total of Checks: \$2,665,134.89

Voids: \$ (5,842.03)

Total of Payroll Deductions \$ (318,515.93)

Grand Total: \$2,340,776.93

Cancellations: 92536, 92574, 92749

IX. Adjournment

Mayor Rios unanimously adjourned the meeting in memory of Cesar Arredondo, longtime resident at 10:21 p.m. by motion of Vice Mayor Avalos and seconded by Council Member Hurtado.

PASSED and **APPROVED** this 13th day of July 2021.

For a signed copy of the minutes for this meeting please contact the City Clerk's Office:

8650 California Avenue, South Gate, California 90280

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