

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, OCTOBER 24, 2017**

- CALL TO ORDER:** Mayor Maria Davila called a Regular City Council meeting to order at 6:37 p.m.
- INVOCATION:** Paul L. Adams, Director of Parks & Recreation
- PLEDGE OF ALLEGIANCE:** Superintendent Jose P. Huerta
- ROLL CALL:** Carmen Avalos, City Clerk
- PRESENT:** Mayor Maria Davila, Vice Mayor Maria Belen Bernal, Council Member Denise Diaz, Council Member Jorge Morales and Council Member Al Rios; City Treasurer Gregory Martinez, City Manager Michael Flad, City Attorney Raul F. Salinas
- I
PERSONNEL** The City Council allowed staff to introduce the new and promotional full-time employees hired or promoted between July 1, 2017 and September 30, 2017.
- DEVIATE FROM AGENDA ORDER** At this time, there being no objections Mayor Davila stated that item 11 would be considered out of its regular agenda order.
- 11
SCHOOL** The City Council allowed the Los Angeles Unified School District, Local District Superintendent Jose P. Huerta provide a presentation on Celebrating the Educational Success of the South Gate Schools.
- DEVIATE FROM AGENDA ORDER** At this time, there being no objections Mayor Davila stated that item 12 would be considered out of its regular agenda order.
- 12
MUNICIPAL CODE** The City Council unanimously received and filed an update report regarding the Adult Use of Marijuana Act by motion of Council Member Morales and seconded by Mayor Davila; and.
- a. Provided direction to Staff on possible modifications to Chapter 7.80 (Marijuana Dispensary) of Title 7 (Public Safety and Morals) of the South Gate Municipal Code.

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MUNICIPAL
CODE CONT'D

Joe Perez, Director of Community Development provided a report regarding the Adult Use of Marijuana Act.

City Attorney Salinas stated that currently South Gate does not allow for medicinal marijuana or non-medicinal marijuana to be grown, sold, cultivated or distributed within the City's boundary. Our current City Ordinance reads that as long as it is a Federal crime to use marijuana, you cannot use it in the City of South Gate. What happened since the City passed that Ordinance is that the State passed its own proposition and there is state law that now requires and allows individuals to have six plants. There is nothing that South Gate or any other City can do for those individual six plants but what South Gate can do is to modify its current Ordinance to continue to prohibit the sale, distribution and cultivation, manufacturing of marijuana. Staff is proposing that we continue to prohibit that type of activity in the Ordinance that has been drafted. The reason why we are making a change to the Ordinance is to take advantage of the limited time to make our Ordinance stronger because if we do nothing between now and December 31st that allows greater control at the State level for business to come into South Gate.

If a neighboring City wants to deliver medicinal marijuana into South Gate we can't control that but within our boundaries we could prohibit that type of delivery system within South Gate. Staff has included regulations on personal cultivation in the home. If you are going to have six plants in one room, the room has to be secured and not available to children, it can't be outside and they all have to be within a 10 by 10 foot area. There also has to be a filtration system, building approvals, and the electricity used to grow the plants needs to meet City approval.

COMMENTS FROM THE AUDIENCE

Gabriela Cid, representative for Congresswoman Nanette Diaz Barragan presented the monthly report from the Congresswoman Barragan's office.

Romero Ortiz, Boy Scout Troop 468 was inquiring about the remodeling of the Boy Scout huts in South Gate Park.

Janet Torrez, 10311 San Juan Avenue and President of the Chamber of Commerce thanked everyone for the support on the Business Expo. She also announced that 85 degrees café is now open. The grand opening is October 27th.

Virginia Johnson, 5751 McKinley stated that according the City's website it indicates that there is no lieutenant for each of the City's five areas. She also spoke on housing developments in other cities and SB35.

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COMMENTS FROM

THE AUDIENCE CONT'D

Nick Godoy, 8611 San Gabriel Avenue met with Jackie Acosta, Administrative Services Director regarding the City budget and he called the school police on the vendors on Ardmore and San Gabriel. People also have the tendency to park in his driveway (double park) and people are also parking in the red zone at the corner of Ardmore and San Gabriel.

REPORTS AND COMMENTS

FROM CITY OFFICIALS

Paul Adams, Parks and Recreation Director reminded everyone about the upcoming Halloween Events.

Captain Jim Teeples announced the Red Ribbon Week activities.

City Treasurer Greg Martinez attended Family Day in the Park and it was a great event.

Council Member Morales attended the League of California Legislative Committee Meeting and they discussed SB649, the small cell tower bill, which was vetoed by the Governor. He also attended the Contract Cities Board Meeting. He noted the League presented a legislator of the year award to Assembly member Ian Calderon because he was instrumental in removing cities off of AB1250 which would limit the ability to contract out any services for municipalities. He stated that ICA is going through reorganization and has a new President. The ICA wants to participate with the Legislative tour put on by California League of Contract Cities in January.

Council Member Rios thanked the Chamber of Commerce for the small business expo and thanked the Police Department for another great year with Family Day in the Park.

Vice Mayor Bernal attended Family Day in the Park and it was a great day. She is looking forward to the grand opening of 85 degrees café. She is proud and hopeful of all the new businesses coming into South Gate.

Mayor Davila commended Joe Perez the Director of Community Development for his work in bringing new businesses to the City of South Gate. She also attended Family Day in the Park and it was wonderful.

CONSENT CALENDAR

Agenda Items 3, 4, 5, 6, and 8 were unanimously approved by motion of Mayor Davila and seconded by Council Member Morales. Items 2 and 9 were removed for separate discussion.

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2 BUSINESS LICENSE

The City Council unanimously introduced Ordinance No. 2341 entitled – Ordinance of the City Council of the City of South Gate, California amending Section 2.08.210 (Refunds), of Chapter 2.08 (Business License Tax), of Title 2 (Licenses - Business Regulations), of the South Gate Municipal Code, granting the City's tax collector the authority to administratively issue business license refunds when deemed appropriate and proper by motion of Vice Mayor Bernal and seconded by Mayor Davila.

Vice Mayor Bernal requested that Staff provide Council with a quarterly report if this type of situation comes up frequently.

3 MUNICIPAL CODE

The City Council unanimously waived the reading in full and introduced Ordinance No. 2342 entitled - Ordinance of the City Council of the City of South Gate temporarily suspending specific site enforcement of Title 7 (Public Safety And Morals), Chapter 7.49 (Park), Section 7.49.170 (Alcoholic Beverages, Narcotics And Other Controlled Substances) of the South Gate Municipal Code allowing the service and consumption of alcohol for the Commission for South Gate Youth, a South Gate based non-profit organization, for a fundraising event at the South Gate Municipal Auditorium on Saturday, December 2, 2017, from 5:00 p.m. to 10:00 p.m. during consideration of the Consent Calendar.

4 SOUNDWALL

The City Council unanimously approved the Cooperative Agreement No. 07-5141 (Contract No. 3384) with Caltrans which is necessary for the construction of the 1-710 Early Action Plan on Frontage Road (west) Soundwalls Nos. 945 and 949, from Miller Way to Southern Avenue, City Project No. 587-ST during consideration of the Consent Calendar; and

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

5 EDUCATION

The City Council unanimously ratified approval of the Settlement and Release Agreement (Contract No. 3372) with the Los Angeles Unified School District (LAUSD) regarding the City's litigation initiation over the Environmental Impact Report pertaining to the development and construction of the International Studies Learning Center during consideration of the Consent Calendar; and

a. Ratified approval of the Joint Powers Agreement (Contract No. 3373) with LAUSD regarding the use of the Athletic Field located at the Legacy High School Complex; and

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EDUCATION CONT'D

b. Ratified the Mayor's execution of the Agreements as accepted by the City Attorney.

6
EQUIPMENT

The City Council unanimously authorized the purchase of one Ford F550 Super Cab-N-Chassis equipped with Graffiti Body from National Auto Fleet Group through the National Joint Powers Alliance Cooperative Contract Purchasing Program, for the Graffiti Abatement Program, in the amount of \$130,867 during consideration of the Consent Calendar; and

a. Authorized the City Manager to execute the documents necessary to purchase the Ford F550 Unit in forms acceptable to the City Attorney.

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This item was removed from the Agenda.

8
COMMUNITY
PROMOTIONS

The City Council unanimously appropriated \$2,000 from the unassigned General Fund balance to Account No. 100-413-61-6101 (General Fund-Parks & Rec-Special Events-Professional Services) for the Event Coordinator's compensation for the Miss South Gate Pageant during consideration of the Consent Calendar; and

a. Appropriated \$500 from the unassigned General Fund balance to Account No. 100-413-61-5103 (General Fund-Parks & Rec-Special Events-Part-time Salaries) for part-time staff support for the Miss South Gate Pageant;

b. Appropriated \$9,500 from the unassigned General Fund balance to Account No. 100-413-61-6202 (General Fund-Parks & Rec-Special Events-Special Department Supplies) to purchase supplies for the Miss South Gate Pageant;

c. Appropriated \$11,000 from the unassigned General Fund balance to Account No. 100-470-61-6202 (General Fund-Parks & Rec-Golf Course-Special Department Supplies) to purchase South Gate Golf Course supplies for Frisbee Golf and Night Golf; and

d. Increased the Fiscal Year 2017/18 revenue projection in the Special Events Revenue Account No. 100-4747 from \$34,680 to \$40,080.

9
TWEEDY MILE

The City Council unanimously approved a request from the Tweedy Mile Association to waive the costs for the City to provide services to the Tweedy Mile Association for their Dia de los Muertos Event scheduled for November 5, 2017 by motion of Vice Mayor Bernal and seconded by Council Member Rios; and

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TWEEDY MILE CONT'D

- a. Appropriating \$4,735 in unassigned General Funds to cover the costs for the City's support of services for their Dia de los Muertos Event.

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POLICE

DEPARTMENT

The City Council unanimously approved an Agreement (Contract No. 3385) with Ring, Inc., to provide specific security related products for residential use within the City to residents at a reduced price, for a limited time and for a limited quantity, to be purchased directly from Ring, Inc. by motion of Mayor Davila and seconded by Council Member Morales; and

- a. Appropriated \$10,000 from the unassigned Asset Forfeiture Fund to the Fiscal Year 2017/18 Asset Forfeiture Fund budget as subsidy to reimburse Ring, Inc., for up to 200 security devices at \$50 per unit; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

EXCUSED FROM
MEETING

At this time, Council Member Morales was excused from the meeting and departed from the Council Chambers.

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CAPITAL

IMPROVEMENT

The City Council appropriated \$15,433,600 in grant funds and restricted funds to the 2017/2018 Capital Improvement Program as noted in the Fiscal Impact as necessary to meet grant requirements and project delivery schedules for the identified grants and projects by motion of Vice Mayor Bernal and seconded by Council Member Rios; and

- a. Appropriated \$2,536,700 to the Garfield Avenue Complete Streets Project (City Project No. 564-ST), Account No. 311-790-31-9564, from the following sources:

- a. \$1,539,640 from Highway Safety Improvement Program (HSIP) Grant funds
- b. \$660,000 from Active Transportation Program (ATP) Grant funds
- c. \$337,060 from Measure M funds (local match requirement)

- b. Appropriated \$4,236,900 to the Long Beach Boulevard Improvements Project (City Project No. 569-ST), Account No. 311-790-31-9565, from the following sources:

- a. \$1,485,810 from Highway Safety Improvement Program (HSIP) Grant funds
- b. \$2,250,000 from Active Transportation Program (ATP) Grant funds
- c. \$501,090 from Measure R funds (local match requirement)

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CAPITAL

IMPROVEMENT CONT'D

c. Appropriated \$8,600,000 to the I-710 Corridor Soundwall Project (City Project No. 547-ST), Account No. 311-790-31-9571; from Measure R I-710 Early Action Grant funds

d. Appropriated \$60,000 to the Systematic Safety Analysis Report Project (City Project No. 571-RPT), Account No. 311-790-39-9456, from the following sources:

a. \$54,000 from Systematic Safety Analysis Report Program (SSARP) Grant funds

b. \$6,000 from Measure R funds (local match requirement)

ROLL CALL: Mayor Davila, yes; Vice Mayor Bernal, yes; Council Member Diaz, yes; Council Member Rios, yes; Council Member Morales, absent.

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WARRANTS AND
CANCELLATIONS

The City Council approved the Warrants and Cancellations for October 24, 2017 by motion of Vice Mayor Bernal and seconded by Council Member Rios.

Total of Checks:	\$2,705,088.12
Voids:	\$ (15,192.63)
Total of Payroll Deductions:	<u>\$ 355,611.76</u>
Grand Total:	\$2,334,283.73

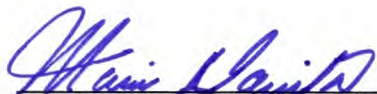
Cancellations: 71902, 72046, 73761

ROLL CALL: Mayor Davila, yes; Vice Mayor Bernal, yes; Council Member Diaz, yes; Council Member Rios, yes; Council Member Morales, absent.

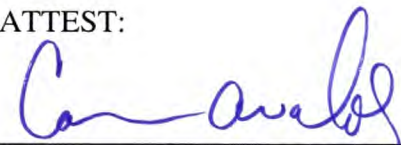
ADJOURNMENT

Mayor Davila unanimously adjourned the meeting at 9:12 p.m. and seconded by Council Member Rios in memory of long-time resident and former CAC Member Glenna Amos, Mayor Davila's Aunt, Alicia Ruiz, and long-time resident Elena Arriola.

PASSED and **APPROVED** this 12th day of December, 2017.



Maria Davila, Mayor

ATTEST:


Carmen Avalos, City Clerk