



SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, July 11, 2006 at 6:30 p.m.

CALL TO ORDER: Maria Davila, Mayor
INVOCATION: Father John Povenza, St. Helen's Church
PLEDGE OF ALLEGIANCE: Martha Ballard, 2006 Older American
ROLL CALL: Carmen Avalos, City Clerk

MAYOR
Maria Davila

CITY CLERK
Carmen Avalos

VICE MAYOR
Bill De Witt

CITY TREASURER
Rudy Navarro

COUNCIL MEMBERS
Henry C. Gonzalez
Gregory Martinez
Gil Hurtado

CITY MANAGER
Gary Milliman

CITY ATTORNEY
Raul F. Salinas

CLOSED SESSION AGENDA

Tuesday, July 11, 2006 @ 6:30 PM

CLOSED SESSION: (ATTY)

1. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**
Pursuant to Government Code Section 54956.9(a)
 - a. Albright Yee & Schmit v. City of South Gate
 - b. City of South Gate v. AYS

OPEN SESSION AGENDA

1. The City Council will be introduced to the recently hired Police Officers. (PD)
2. The City Council will issue a *Certificate of Appreciation* to Martha Ballard in recognition for receiving the 2006 Older American Recognition Award for her dedicated service to the community. (ADMIN)
3. The City Council will conduct a Public Hearing to consider waiving the reading and introducing an **Ordinance _____** changing the zoning designation to the rear forty feet of the lot located at 3830 Firestone Boulevard from R-3 to C-M. (CD)
4. The City Council will conduct a Public Hearing to consider: (CD)
 - a. Approving and certifying the Environmental Determination of Mitigated Negative Declaration, Preliminary Environmental Assessment (PEA) No. 1740, subject to the implementation of the proposed mitigation measures; and
 - b. Waiving the reading and introducing an **Ordinance _____** amending Title 11 (Zoning), Chapter 11.06 (Establishment of Use Zones, Boundaries thereof and limiting the use of Land and Areas required therein) of the South Gate Municipal Code by establishing Section 11.06.039.159 (Certain Property reclassified from M-3 and R-3 to precise plan status) and modifying subsection 11.50.110.17, in order to change and reclassify certain property from a Zone of M-3 (Heavy Manufacturing) and R-3 (Multi-residential to provide a new zoning district to be commonly know as Precise Plan No. 17); and

4.
 - c. Adopting a **Resolution** _____ adopting General Plan Amendment No. 2006-01 which amends the City’s Community Development element relating to a mixed use residential/commercial development; and
 - d. Adopting a **Resolution** _____ approving tentative Tract Map No. 066245; and
 - e. Adopting a **Resolution** _____ approving tentative Parcel Map No. 66056.

5. The City Council will conduct a Public Hearing to consider: (CD)
 - a. Adopting a **Resolution** _____ approving tentative Tract Map No. 66426 for a seven unit condominium project at 5495 Gardendale Street; and
 - b. Approving the tentative map for continued processing.
 - c. Waiving the reading and introducing an **Ordinance** _____ changing the zoning at the rear third of 5495 Gardendale Street from M-2 to R-3 to allow development of a seven unit condominium project.

6. The City Council will conduct a Public Hearing to consider: (CD)
 - a. Waiving the reading and introducing an **Ordinance** _____ amending Title II (Zoning), Chapter 11.22 (M-2 Light Manufacturing), Section 11.22.010 (Permitted Uses), Subsection 26.3 (Miniwarehouse) (a) (Mandatory Conditions) (i) of the South Gate Municipal Code by modifying requirements for miniwarehouse uses; and
 - b. Approving the Categorical Exemption under Section 15061 (b)(3) of the California Environmental Quality Act.

7. The City Council will conduct a Public Hearing to consider waiving the reading and introducing an **Ordinance** _____ amending Title 5 (Street and Sidewalks) of the South Gate Municipal Code by establishing Chapter 5.34 pertaining to the regulation of pay phones in the public right-of-way. (PW)

8. The City Council will conduct a Public Hearing to consider adopting a **Resolution** _____ approving Unclassified use Permit No. 15, Amendment No. 1, a digital wireless telecommunications facility at 4218 Firestone Boulevard. (CD)

9. The City Council will conduct a Public Hearing to consider adopting a **Resolution** _____ approving Unclassified Use Permit No. 51, a digital wireless telecommunications facility at 5911 Firestone Boulevard. (CD)

10. The City Council will conduct a Public Hearing to consider adopting a **Resolution _____** finding the City of South Gate to be in conformance with the Congestion Management Program and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089. (CD)

COMMENTS PERTAINING TO NON-AGENDA ITEMS

During this time, members of the public and staff may address the City Council regarding any items within the subject matter jurisdiction of the City Council. Comments from the audience will be limited to five (5) minutes per speaker; unless authorized by the Mayor, the time limit may not be extended by utilizing another member’s time. There will be no debate or action on items not listed on the agenda unless authorized by law.

NOTE: The City Council desires to provide all members of the public with the opportunity to address the Council. Nevertheless, obscene language, comments intended to disrupt or interfere with the progress of the meeting or slanderous comments will not be tolerated and may result in ejection and/or may constitute a violation of South Gate Municipal Code Section 1.04.110.

REPORTS AND COMMENTS FROM CITY COUNCIL MEMBERS

During this time, members of the City Council will report on matters pertaining to their service on various intergovernmental boards and commissions as a representative of the City pursuant to Assembly Bill 1234. City Council Members will also have an opportunity to comment on matters not on the agenda.

CONSENT CALENDAR ITEMS

Agenda Items 11, 12, 13, and 14 are Consent Calendar Items. All items including Ordinances, Resolutions and Contracts, may be approved by adoption of the Consent Calendar, individually and collectively by one (1) motion. There will be no separate discussion of these items unless Members of the City Council, the public, or staff request that specific items be removed from the Consent Calendar for separate discussion and action.

Any motion to introduce or adopt an Ordinance on the Consent Calendar shall be: (1) a motion to waive the reading of the Ordinance and introduce the Ordinance or (2) a motion to waive the reading of the Ordinance and adopt the Ordinance, as appropriate.

11. The City Council will consider: (PW)
 - a. Awarding a professional services agreement (**Contract _____**) for \$51,950 to John L. Hunter and Associates, Inc. for the administration and implementation of the Used Oil Recycling Grant; and
 - b. Awarding a professional services agreement (**Contract _____**) for \$57,710 to John L. Hunter and Associates, Inc. for the administration and implementation of the Beverage Container Recycling Grant; and
 - c. Authorizing the Mayor and City Clerk to execute the agreements.

<p>12. The City Council will consider: (PW)</p> <ul style="list-style-type: none"> a. Approving the Notice of Exemption filed with the Los Angeles County Clerk’s office on May 4, 2006; and b. Appropriating \$150,000 from Gas Tax fund balance for construction contract and construction management services; and c. Awarding a construction contract (Contract _____) for \$808,419.50 to CSI Electrical Contractors, Inc., the lowest responsible bidder; and d. Authorizing the Mayor and City Clerk to execute the construction contract.
<p>13. The City Council will consider: (PW)</p> <ul style="list-style-type: none"> a. Reallocating \$200,000 of Gas Tax funds from the 2006-2007 Citywide Slurry Seal Project to the 2005-2006 Citywide Sidewalks, Curb/Gutter and Driveway Replacement Program, City Project No. 341-ST; and b. Approving Change Order No. 3 for \$200,000 for replacement of deteriorated and broken sidewalks, curb/gutter and driveways, and installation of wheel chair ramps; and c. Authorizing the Director of Public Works to execute Change Order No. 3.
<p>14. The City Council will consider approving the Regular City Council Meeting Minutes of June 27, 2006. (CLERK)</p>

15. The City Council will consider waiving the reading and introducing an **Ordinance _____** amending Title 2 (Licenses – Business Regulations), Chapter 2.08 (Business License Tax), Section 2.08.380 (Payment of Business License Taxes – Calendar Year), of the South Gate Municipal Code by amending Subsection B (Commercial Vehicles) in order to delete certain categories of commercial vehicles, in particular gasoline and oil delivery, meat and all other categories of commercial vehicles not expressly identified in the ordinance. (PD)

16. The City Council will consider waiving the reading & introducing an **Ordinance _____** amending Ordinance No. 2136 relating to the order of business of regular and special City Council meetings. (ADMIN)

17. The City Council will consider adopting a **Resolution _____** supporting the Los Angeles County gang suppression, prevention and intervention sales tax. (PD)

- 18. The City Council will consider adopting a **Resolution _____** amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) by creating position specifications for Intermediate Typist Clerk and Court Liaison Officer and amending position specifications for Property Control Clerk. (PERS)

- 19. The City Council will consider adopting a **Resolution _____** declaring its intention to establish an Underground Utility District No. 8 on Firestone Boulevard and set a public hearing for August 8, 2006. (PW)

- 20. The City Council will consider the continued discussion of color standards for businesses on Tweedy Boulevard to the City Council meeting of July 25, 2006. (CD)

- 21. The City Council will consider approving the Warrants and Cancellations for July 11, 2006. (FIN)

Total of Checks: \$1,003,056.84
 Total of Payroll Deductions: \$ < 115,847.52 >
 Total of Net City Expenses: \$ 887,209.32

Cancellations: 126257,128258,128380

- 22. City Manager Announcements. (ADMIN)

- 23. Adjournment in memory of Kaydee Cristina Salinas, South Gate resident.

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on July 6, 2006 at 4:30 p.m., as required by law.

Carmen Avalos, City Clerk