

SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, September 22, 2009 at 6:30 p.m.

CALL TO ORDER: Henry C. Gonzalez, Mayor
INVOCATION: Bishop Juan Carlos Mendez, Centro Christiano Bet-El
PLEDGE OF ALLEGIANCE: Richard Fisher, South Gate Police Officer
ROLL CALL: Carmen Avalos, City Clerk

MAYOR
Henry C. Gonzalez

CITY CLERK
Carmen Avalos

VICE MAYOR
Gregory Martinez

CITY TREASURER
Maria Belen Bernal

COUNCIL MEMBERS
Maria Davila
Bill De Witt
Gil Hurtado

CITY MANAGER
Ronald Bates

CITY ATTORNEY
Raul F. Salinas

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office
8650 California Avenue, South Gate, California 90280
(323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org

In compliance with the American with Disabilities Act, if you need special assistance to participate in the City Council Meetings, please contact the Office of the City Clerk. Notification 48 hours prior to the City Council Meeting will enable the City to make reasonable arrangements to assure accessibility.

OPEN SESSION AGENDA

1. Introduction of South Gate Police Officer Richard Fisher

The City Council will be introduced to South Gate Police Officer Richard Fisher. (PD)

2. Introduction of Assistant Fire Chief Angel Montoya

The City Council will be introduced to Chief Angel Montoya, the new Assistant Fire Chief assigned to the Southeast Cities area. (ADMIN)

3. Resolution: Continuing Unclassified Use Permit No. 64 – Verizon Cellular Tower at 10500 Atlantic Avenue

The City Council will conduct a Public Hearing to continue the consideration of a Resolution for Unclassified Use Permit No. 64, a Wireless Telecommunications Facility at 10500 Atlantic to the City Council meeting of October 13, 2009. (CD)

4. Prevention Initiative Demonstration Project Grant for the Family Violence Prevention Program

The City Council will conduct a Public Hearing to consider: (PD)

- a. Appropriating \$25,000 to the Law Enforcement Grant Fund for the Prevention Initiative Demonstration Project (PIDP) grant for the Family Violence Prevention Program; and
- b. Authorizing the Mayor to execute Amendment No. 2 to Contract No. 2500 in a form approved by the City Attorney.

COMMENTS FROM THE AUDIENCE

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 OFFICIALS

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.

Following the City Council Members, reports and comments will be heard by the City Clerk, City Treasurer, City Manager and Department Heads.

CONSENT CALENDAR ITEMS

Agenda Items 5, 6, 7, 8, 9, 10, and 11 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.

5. Resolution: Re-affirming the City’s Election to receive AB 1290 Funds

The City Council will consider adopting a **Resolution** _____ affirming the reaffirming the City’s election to receive a share of tax increment pursuant to Health and Safety Code Section 33607.5(b) for the South Gate Redevelopment Project No. 1. (FIN)

6. Amendment with Linscott Law & Greenspan for additional traffic signal work at Tweedy and Alameda

The City Council will consider: (PW)

- a. Approving Amendment No. 2 to Contract No. 2464 with Linscott Law & Greenspan for additional traffic Engineering Design Services for proposed Traffic Signal at Tweedy Boulevard and Alameda Street Intersection, City Project NO. 357-TRF.
- b. Authorizing the Mayor to execute the Amendment in a form approved by the City Attorney.

7. Amendment to Memorandum of Understanding for I-710/Firestone Interchange Reconstruction Project

The City Council will consider: (PW)

- a. Approving Amendment No. 1 (Contract No. 2316) to Memorandum of Understanding for I-710/Firestone Boulevard Interchange Reconstruction Project, Phase IV (Firestone Boulevard Bridge Widening over Los Angeles River), City Project No. 298-ST; and
- b. Authorizing the Mayor to execute the Amendment in a form approved by the City Attorney.

8. Accept as Complete the California Avenue Project

The City Council will consider: (PW)

- a. Accepting as complete the Street Improvements on California Avenue from Martin Luther King Jr. Boulevard to Santa Ana Street, City Project No. 336-ST; and
- b. Directing the Clerk to file the Notice of Completion with the County Recorders Office.

9. Receive and File the San Vincente Petition

The City Council will consider: (PW)

- a. Receiving a verbal report from City staff regarding current assessment of intersection at Tweedy Boulevard and San Vincente Avenue; and
- b. Based on preliminary assessments, receive and file resident/business petition dated September 2, 2009, and withhold further action on traffic studies at this time.

10. Recommended Transfers, Appropriations and Carryovers for 2008-2009; Year-End Summary Report

The City Council will consider approving the recommended transfers, appropriations and carryovers as detailed in Attachments D-F in the fiscal year 2008-2009 Year-End Summary Report. (FIN)

11. City Council Meeting Minutes of September 8, 2009

The City Council will consider approving the Special City Council Meeting Minutes of September 8, 2009 and the Regular City Council Meeting Minutes of September 8, 2009. (CLERK)

12. Resolution: Creating a second Housing & Grants Analyst position; Vacancy Review and Exemption from the Hiring Freeze

The City Council will consider: (ADMIN/PERS)

- a. Adopting a **Resolution** _____ creating a second Housing & Grants Analyst position in the Community Development Department; and
- b. Removing the City’s hiring freeze on one (1) Code Enforcement Officer and one (1) newly created Housing & Grants Analyst position in the Community Development Department, one (1) Recreation Coordinator in the Parks & Recreation Department, one (1) Police Records Specialist and one (1) Dispatcher in the Police Department and one (1) Senior Civil Engineer, (1) Water Distribution Operator and one (1) Equipment Operator in the Public Works Department; and
- c. Appropriating \$47,011 to the Housing Fund for the Housing & Grants Analyst; and
- d. Authorizing staff to fill the Senior Civil Engineer position using savings from vacant positions.

13. Code Enforcement Program Overview

The City Council will consider receiving and filing the Code Enforcement Program Overview report. (CD)

14. Warrant Register for September 22, 2009

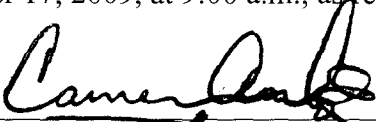
The City Council will consider approving the Warrants and Cancellations for September 22, 2009 (FIN)

Total of Checks:	\$2,836,305.84
Voids	\$ -27,428.00
Total of Payroll Deductions:	<u>\$ <243,513.70</u>
Grand Total:	\$2,565,364.14

Cancellations: 22541, 24218, and 23269

15. Adjournment

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on September 17, 2009, at 9:00 a.m., as required by law.



 Carmen Avalos, City Clerk

RECEIVED

SEP 15 2009

City of South Gate

Item No. 1

CITY COUNCIL

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: September 22, 2009

Originating Department: Police

Dept. Head:

Vincent Avila

City Manager:

Ronald Bates

SUBJECT: INTRODUCTION OF NEW SOUTH GATE POLICE OFFICER

ACTION: The City Council will be introduced to South Gate Police Officer Richard Fisher.

FISCAL IMPACT: None.

REPORT SUMMARY: I am pleased to announce Officer Richard Fisher as the newest member of the South Gate Police Department. Officer Fisher began his Public Service career with the South Gate Police Department in December of 2007, as a Public Safety Officer. He promoted to the position of Police Cadet in April of 2008 and held this assignment until he was hired as a Police Recruit in September of 2008. Officer Fisher graduated from the Rio Hondo Police Academy Class #191 on August 27, 2009. Upon graduation, he was recognized as the top police recruit in physical fitness, receiving a perfect score of 400 points. In addition, Officer Fisher broke a Police Academy record by performing 304 sit-ups in ten minutes. Officer Fischer served in the United States Marine Corps prior to his employment with the South Gate Police Department and is currently a Reserve Aviation Operations Specialist with the Marine Corps.

ATTACHMENTS: None

City of South Gate Item No. 2

CITY COUNCIL


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SEP 15 2009

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: September 22, 2009

Originating Department: Administration

Asst. to the C.M. Nellie Cobos: Nellie Cobos City Manager Ronald Bates: 

SUBJECT: INTRODUCTION OF NEW ASSISTANT FIRE CHIEF

ACTION: The City Council will be introduced to Chief Angel Montoya, the new Assistant Fire Chief assigned to the Southeast Cities area.

FISCAL IMPACT: None

REPORT SUMMARY: Assistant Fire Chief Angel Montoya was assigned to the Southeast Cities area effective August 1, 2009. During his career, Chief Montoya has served the public and the Los Angeles County Fire Department for over 23 years. His career in the fire service began as a Fire Fighter in 1986, where he promoted through the ranks serving in the positions of Fire Fighter Paramedic, Fire Fighter Specialist, Fire Captain, Battalion Fire Chief and his current position of Assistant Fire Chief.

Most recently as Assistant Fire Chief, Chief Montoya was assigned to the Department's complex Technical Services Division, which encompasses training, technical operations, emergency medical services and homeland security sections. Prior to that assignment, he served as Assistant Fire Chief for the Department's largest field division consisting of 12 cities and 25 fire stations.

Chief Montoya was instrumental in forming the Urban Search & Rescue (USAR) team and unit. He served as one of the first members to place the Department's USAR unit into service to respond to County-wide specialized heavy and technical rescues. His service has included being selected as the first Bilingual Public Information Officer for the Department charged with the development and implementation of a Bilingual Program. This program enabled the Department to disseminate information to the Spanish-speaking public through multi-media delivery system that included both the print and video media. Chief Montoya also served as a FEMA Task Force Member, where he responded as a team member to the Department's first disaster responses such as the Northridge Earthquake and Hurricane Iniki in Hawaii.

ATTACHMENTS: None

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CITY COUNCIL

SEP 16 2009

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

AGENDA BILL

For the Regular Meeting of: September 22, 2009

Originating Department: Community Development

Department Head Steven A. Lefever

City Manager Ronald Bates

SUBJECT: UNCLASSIFIED USE PERMIT NO. 64, A WIRELESS TELECOMMUNICATIONS FACILITY AT 10500 ATLANTIC BOULEVARD

ACTION: Continue consideration of a Resolution for Unclassified Use Permit No. 64, A Wireless Telecommunications Facility at 10500 Atlantic to the City Council meeting of October 13, 2009.

FISCAL IMPACT: Fees are required to cover the costs.



NOTICING PROCEDURES:

1. A Legal Notice was published in The Press on June 11, 2009.
2. Legal Notices were mailed to the surrounding properties on June 9, 2009.

REPORT SUMMARY: The Public Hearing was continued from the City Council Meeting of March 10, 2009 and June 23, 2009 and August 25, 2009.

On March 10, 2009, the City Council continued the item so that the applicant could work with a coalition of residents in the immediate vicinity of the proposed project who opposed the project based on aesthetic concerns. The applicant met with residents in a series of meetings facilitated by the Planning Department and has offered three distinct options including a broadleaf monopole tower as originally requested by residents.

On June 23, 2009, the City Council directed the applicant to continue working with residents opposed to the project. The applicant continues to make progress with alternate designs but requests a continuance to further address pending issues relating to aesthetics and safety concerns by local residents.

On August 25, 2009 the City Council directed the applicant to work with residents to resolve the lingering issues that have stalled the project. Those issues were addressed at length in a series of meetings between the applicant, residents and staff. After a number of adjustments to the original proposal, staff believes a compromise is close at hand. To implement the changes, the applicant requests a continuance to finalize an amended site plan.

ATTACHMENTS: A) Email requesting continuance to October 13, 2009



September 16, 2009

Verizon Wireless
15505 Sand Canyon Avenue
Building D1
Irvine, CA 92618-3114

Phone 844 288-7000

VIA FACSIMILE

Mr. Alvie Betancourt
City of South Gate, Planner
8650 California Avenue
South Gate, CA 90280

Re: Verizon Wireless Hearing for Unclassified Use Permit No. 64; 10500 South Atlantic Boulevard, South Gate, CA

Dear Mr. Betancourt:

Please let this letter serve as Verizon Wireless's formal request that the hearing date for Verizon Wireless's hearing to the City Council, currently scheduled for September 22, 2009, be continued to the last hearing in the month of October 2009.

At the request of the Council, Verizon Wireless met with the City Manager to consider the lowering of the antenna height and mitigating noise levels to comply with the City of South Gate Noise Ordinance. The company is in the process of revising its plans to meet that request, but will need additional time to prepare these materials.

Furthermore, at the last hearing before the City Council, the City Manager instructing Planning Staff to provide Verizon Wireless with a copy of the South Gate's list of approved cell sites. To date, Verizon Wireless has not received this list. Please send it to Verizon as soon as possible. Thank you.

Finally, please confirm that the City has the original affidavit of Ramon Salazar which was submitted at the last hearing.

Thank you for your courtesy and if you have any questions regarding this correspondence, please feel to contact me. I may be reached at (949) 233-4869.

Very truly yours,

A handwritten signature in cursive script that reads "Leslie Daigle".

Leslie Daigle
Verizon Wireless Representative

Cc: Cathy Bardenstein, Esq, Verizon Wireless

City of South Gate

CITY COUNCIL

Item No. 4

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SEP 16 2009

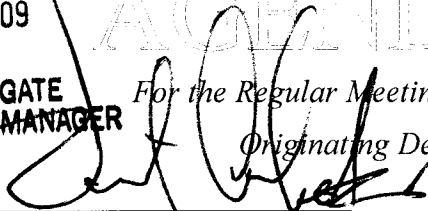
AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: September 22, 2009

Originating Department: Police

Dept. Head:


Vincent Avila

City Manager:


Ronald Bates

SUBJECT: PROPOSED USE OF THE GRANT FUNDS FROM THE PREVENTION INITIATIVE DEMONSTRATION PROJECT.

ACTION: Following the conclusion of the Public Hearing,

- a. Appropriate \$25,000 to the Law Enforcement Grant Fund for the Prevention Initiative Demonstration Project (PIDP) grant for the Family Violence Prevention Program; and
- b. Authorize the Mayor to execute Amendment No. 2 to Contract No. 2500 in a form approved by the City Attorney.

FISCAL IMPACT: There is no fiscal impact to the City as there are no matching fund requirements.

NOTICING PROCEDURES: A legal notice was published in The Press and posted on the City Web Site on September 3, 2009 notifying the date of the hearing.

REPORT SUMMARY: Due to the success of the South Gate Neighborhood Action Committee created during F/Y 2008-2009, in July 2009 the Family Violence Prevention Program was again selected by Human Services Association as one the recipients of the Prevention Initiative Demonstration Project (PIDP) within Service Planning Area 7, funded and administered by the Department of Children and Family Services (DCFS), County of Los Angeles.

To prevent family problems from becoming crisis, PIDP addresses root causes that weaken families and communities, preventing healthy childhood development –such as poverty, joblessness, poor education, lack of affordable housing, and community crime (including exposure to violence and specifically domestic violence).

During the 2008/2009 fiscal year, the Family Violence Prevention Program supported the development of a Neighborhood Action Committee (grassroots movement) with the assistance of a Community Organizer from Human Services Association. This Neighborhood Action Committee worked towards identifying the strengths of the community and empowering other members in the community to take pride in the assets that already exist (asset based funding).

**AMENDMENT NUMBER TWO
PREVENTION INITIATIVE DEMONSTRATION PROJECT
CONTRACT NUMBER 76482**

This Amendment Number Two ("Amendment") to the Prevention Initiative Demonstration Project Contract ("Contract"), is made and entered into by and between South Bay Center for Counseling, ("CONTRACTOR") and South Gate Police Department – Family Violence Prevention Program, ("SUBCONTRACTOR") for administration of Prevention Initiative Demonstration Project services on this 1 day of July 2009.

WHEREAS, COUNTY and CONTRACTOR are parties to the Contract and CONTRACTOR has been providing Prevention Initiative Demonstration Project (PIDP) services to the COUNTY; and

WHEREAS, Amendment Number One increased the contract amount to \$25,000 and

NOW, THEREFORE, in consideration of the foregoing and mutual consent herein contained, CONTRACTOR and SUBCONTRACTOR hereby agree to amend the Contract as follows:

1. Section 2.0 TERM, is added to read as follows:

The term of the Contract shall be extended for an additional twelve months, effective July 1, 2009 through June 30, 2010, unless terminated earlier as provided herein.

2. Section 3.0 CONTRACT SUM, Subsection 3.1 is revised to read as follows:

- 4.1 The Maximum Contract Sum for this Contract is (\$)25,000.

For the First Contract Period through 06/30/09 \$25,000

For Three Months (07/01/09-09/30/09) \$6,250

For Nine Months (10/01/09-06/30/10) \$18,750

- 4.2 CONTRACTOR may carry-over any unexpended funds from the first three months (07/01/09-09/30/09) to the last nine months for work performed in accordance with the Statement of Work.

3. Part I: Unique Terms and Conditions, Section 11.0 CHANGE NOTICE AND AMENDMENTS, Subsection 11.5.3 is revised to read as follows:

11.5.3 The Amendment is for a decrease, or an increase of not more than ten percent (10%) correlated to a decrease, or an increase in the number of units of service, of the original Maximum Contract Sum;

4. Exhibit A-2b, Revised LINE ITEM BUDGET, Line Item Budget Details, and Budget Justification Narrative are added in their entirety and incorporated as part of Exhibit A-2a, LINE ITEM BUDGET.

ALL OTHER TERMS AND CONDITIONS OF THIS CONTRACT REMAIN IN FULL FORCE AND EFFECT.

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**AMENDMENT NUMBER TWO
TO PREVENTION INITIATIVE DEMONSTRATION PROJECT
CONTRACT NUMBER 76482**

EXCEPT AS MODIFIED by this Amendment, the Agreement as previously amended, shall remain in full force and effect upon its original terms and conditions. This Amendment and Agreement may be modified or amended only by a subsequent written instrument executed by all of the parties.

IN WITNESS WHEREOF, the parties hereby have executed this Amendment as of the date first above written. The person(s) signing on behalf of the CONTRACTOR warrants under penalty of perjury that he or she is authorized to bind the CONTRACTOR in this Amendment Number

CONTRACTOR:

South Bay Center for Counseling

Name of Agency

Authorized Signature

Print Name and Title

SUBCONTRACTOR:

South Gate Police Department-Family Violence Prevention Program

Name of Agency

Authorized Signature

Henry C. Gonzalez, Mayor

Print Name and Title

Tax Identification

ATTEST:

Carmen Avalos, City Clerk

(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney