

## **SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA**

**Tuesday, October 13, 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:** Laura Maldonado, Family Violence Program Coordinator  
**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](http://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. **Proclamation: Declaring October as Crime Prevention Month**

The City Council will issue a Proclamation declaring the month of October as “Crime Prevention Month.” (PD)

### 2. **Proclamation: Declaring October as Domestic Violence Awareness Month**

The City Council will issue a Proclamation declaring the month of October as “National Domestic Violence Awareness Month.” (PD)

### 3. **Proclamation: Declaring October 23<sup>rd</sup>-31<sup>st</sup> as Red Ribbon Week**

The City Council will issue a Proclamation declaring October 23-31, 2009, as “National Red Ribbon Week.” (PD)

### 4. **Urgency Ordinance & Introduction of an Ordinance relating to Regulation of Adult-Oriented Businesses**

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

- a. Waiving the reading in full and adopting an **Urgency Ordinance** \_\_\_\_\_ amending Title 2 (Licenses – Business Regulations) Chapter 2.10 (Business Regulations) Sections 2.10.150 (“Businesses Requiring a Business Permit”) and 2.10.540 (“Entertainment”) and deleting Section 2.10.400 (“Adult Bookstore”) and adding a new Section 2.10.400 (“Adult Oriented Businesses”) of the South Gate Municipal Code regulating adult oriented businesses; and
- b. Waiving the reading in full and introducing an **Ordinance** \_\_\_\_\_ amending Title 2 (Licenses – Business Regulations) Chapter 2.10 (Business Regulation) Sections 2.10.150 (“Businesses Requiring a Business Permit”) and 2.10.540 (“Entertainment”) and deleting Section 2.10.400 (“Adult Bookstore”) and adding a new Section 2.10.400 (“Adult Oriented Businesses”) of the South Gate Municipal Code regulating adult oriented businesses.

**5. Ordinance: Zoning Amendment relating to Regulation of Amusement Arcades Citywide**

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

- a. Accepting the determination that this project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of California Environmental Quality Act; and
- b. Waiving the reading and introducing an **Ordinance** \_\_\_\_\_ amending Title 11 (Zoning), of the South Gate Municipal Code by adding Chapter 11.55 (Amusement Arcades) and Sections 11.55.010 through 11.55.080 relating to the regulation of Amusement Arcades Citywide; and deleting Section 11.15.010 Subdivision (3) Amusement game arcade.

**6. Ordinance: Zoning Amendment relating to Parking Options for Legal-Nonconforming Residential Properties**

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

- a. Accepting the determination that this project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of California Environmental Quality Act; and
- b. Waiving the reading and introducing an **Ordinance** \_\_\_\_\_ amending Title 11 (Zoning). Chapter 11.07 (R-1 7500 Single Family Residential Zone), Chapter 11.08 (R-1 Single Family Residential Zone), Chapter 11.10 (R-2 Two-Family Residential Zone), Chapter 11.12 (R-3 Multiple Residential Zone), Chapter 11.14 (R-4 Restricted Services Zone) of the South Gate Municipal Code relating to parking options for legal-nonconforming residential properties.

**7. Resolution: Approving UUP No. 64 – Verizon Cellular Tower, 10500 Atlantic Avenue**

The City Council will conduct a Public Hearing to consider adopting a **Resolution** \_\_\_\_\_ approving Unclassified Use Permit No. 64, a wireless telecommunications facility at 10500 Atlantic Boulevard consisting of twelve panel antennas mounted on a new mono-palm tower antenna, within a 22' x 40' enclosed lease area at the base of the antenna, including environmental findings and determination that the project is exempt under Class 3 Section 15303 of the California Environmental Quality Act. (CD)

**8. Resolution: Extension to Entitlements Request for El Portal**

The City Council will conduct a Public Hearing to consider adopting a **Resolution** \_\_\_\_\_ approving a 90-day extension of the October 30, 2009 Expiration Date of Approved Site Plan 285 as provided in City Council Resolution No. 7228, approved February 12, 2008, which provided for the development of 517,000 square feet of commercial retail uses on 30.5 acres within the Gateway Project Area located at 4635 Firestone Boulevard in the M-2 (Light Manufacturing) and M-3 (Heavy Manufacturing) Zones (The “Gateway Project”) and approving Target Corporation, A Minnesota Corporation (“Target”) as assignee of South Gate Gateway, LLC, a Delaware Limited Liability Company (“Developer”) and Wachovia Bank (“Lender”). (CD)

***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 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 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.

**9. Resolution: Authorizing Destruction of Certain Obsolete Records**

The City Council will consider adopting a **Resolution** \_\_\_\_\_ authorizing the destruction of obsolete Finance, City Clerk’s Office, and Community Development (Housing Division) records pursuant to Government Code 34090 of the laws of the State of California. (CLERKS)

**10. Resolution: Authorizing Execution and Delivery of a Purchase and Sale Agreement Relating to Proposition 1A**

The City Council will consider adopting: (FIN)

1. Proposed Proposition 1A Sale **Resolution** \_\_\_\_\_; and
2. Purchase and Sale Agreement (**Contract No.** \_\_\_\_\_).

**11. Resolution: Certification of PERS Industrial Disability Retirement for Andrew Key**

The City Council will consider: (ADMIN/PERS)

- a. Adopting a **Resolution** \_\_\_\_\_ determining that Andrew Key is incapacitated within the meaning of the Public Employees' Retirement Law and that such disability is a result of injury arising out of and in the course of his employment; and
- b. Authorizing the Public Employees' Retirement System (PERS) to process the Disability Retirement application of Andrew Key, Police Captain-In-Charge.

**12. Amendments to the Lincoln Financial Deferred Compensation Plan Document to Comply with Internal Revenue Service Regulations**

The City Council will consider: (ADMIN/PERS)

- a. Approving an amendment to the Lincoln Financial Deferred Compensation Plan Document to comply with Internal Revenue Service (IRS) regulations; and
- b. Authorizing all plan documents to be executed by appropriate officials.

**13. Agreement for Acting Chief of Police with Rancho Santiago Community College District and George Troxcil**

The City Council will consider: (ATTY)

- a. Approving an Employment Agreement (**Contract** \_\_\_\_\_) for Acting Chief of Police with Rancho Santiago Community College District on behalf of Santa Ana College and George Troxcil; and
- b. Authorizing the Mayor to execute an agreement in a form acceptable to the City Attorney.

**14. Community Development Block Grant Subrecipient Agreements for Fiscal Year 2009-2010**

The City Council will consider: (CD)

- a. Approving the Agreements under the Community Development Block Grant Program for Fiscal Year 2009-2010 with: Fair Housing Foundation (**Contract No. \_\_\_\_\_**); Queue-Up Incorporated (**Contract No. \_\_\_\_\_**); Steelworkers Oldtimers Foundation (**Contract No. \_\_\_\_\_**); Southern California Rehabilitation Services Incorporated (**Contract No. \_\_\_\_\_**); Southeast Churches Service Center (**Contract No. \_\_\_\_\_**); South Gate Police Activities League Incorporated (**Contract No. \_\_\_\_\_**); and Teen Challenge of Southern California Incorporated (**Contract No. \_\_\_\_\_**); and
- b. Authorizing the Mayor to execute the Agreements in a form approved by the City Attorney.

**15. Amendment No. 1 to Contract No. 2535 with David Volz Design for Design Services for Infrastructure Improvements at South Gate Park**

The City Council will consider approving Amendment No. 1 to Contract No. 2535 with David Volz Design to include completion of construction documents for phases 2 and 3 of the South Gate Park Infrastructure Improvement Project. (PARKS)

**16. Memorandum of Agreement with the San Gabriel Valley Council of Governments for the Coordinated Storm Water Implementation Plan**

The City Council will consider: (PW)

- a. Approving the Memorandum of Agreement (**Contract \_\_\_\_\_**) with the San Gabriel Valley Council of Governments for the administration and cost sharing of the development of the Coordinated Implementation Plan for the Los Angeles River and Tributaries Metals Total Maximum Daily Loads (REACH 2); and
- b. Authorizing the Mayor to execute the Memorandum of Agreement in a form approved by the City Attorney.

**17. Lease/Purchase Agreement for two Tymco Sweepers**

The City Council will consider: (PW)

- a. Approving an Interlocal Contract for Cooperative Purchasing Agreement (**Contract \_\_\_\_\_**) with the Houston-Galveston Area Council (H-GAC) to establish membership in the cooperative; and
- b. Approving Financing Request submitted by authorized H-GAC Contractor TYMCO Inc. (“Vendor”) for the six years lease/purchase option to purchase two (2) Tymco Sweepers for the Street Division; and
- c. Authorizing the Mayor to execute the Lease Agreement in a form approved by the City Attorney and TYMCO, Inc.

**18. Memorandum of Understanding and Public Improvements Agreement with CDC and LAUSD for Elementary School No. 9**

The City Council will consider: (PW)

- a. Approving the Memorandum of Understanding and Public Improvements Agreement (MOU) (**Contract No. \_\_\_\_\_**); among City, Community Development Commission (CDC), and Los Angeles Unified School District (LAUSD) under which LAUSD agrees:
  - (1) to pay the City a Settlement Amount of \$2,236,600 for Street Widening of Willow Place from Long Beach Boulevard to Santa Fe Avenue within the existing right-of-way and for two new Traffic Signals, one at the intersection of Long Beach Boulevard and Willow Place, and one at the intersection of Santa Fe Avenue and Willow Place; and
  - (2) to pay the City \$131,500 toward the City’s future construction of new raised median along the frontage of ES #9 on Firestone Boulevard; and
  - (3) to pay the City \$15,000 as LAUSD’s fair share contribution of five percent (5%) for a new traffic signal at the intersection at Southern Avenue and Santa Fe Avenue; and
  - (4) to pay the City \$50,000 as the Water Impact Fee for the ES #9 Project; and
  - (5) to construct and complete at LAUSD’s cost decorative block walls and wrought iron fencing surrounding the entire perimeter of the new school as approved by the City; and
- b. Authorizing both the Mayor and CDC Chairman to execute and the City Clerk and CDC Secretary to attest the MOU in a form approved by the City’s Special Counsel and upon approval and execution by LAUSD.

**19. Renewal of Agreement with Nobel Systems, Inc., for Hosting the City's Geographic Information System**

The City Council will consider: (PW)

- a. Approving Amendment No. 1 to Contract 2494 with Nobel Systems, Inc., for hosting the Geographic Information System; and
- b. Authorizing the Mayor to execute Amendment No. 1 in a form approved by the City Attorney.

**20. Amendment Agreement with Cybernet Consulting Engineers, Inc., for Additional Engineering and Construction Management Services**

The City Council will consider: (PW)

- a. Approving Amendment No. 2 to Contract No. 2478 with Cybernet Consulting Engineers, Inc. in the amount of \$13,455 for additional Engineering and Construction Management Support Services for proposed Supervisory Control and Data Acquisition (SCADA) System, City Project No. 405-WTR; and
- b. Authorizing the Mayor to execute Amendment No. 2 in a form approved by the City Attorney.

**21. Construction Agreement with Lincoln Pacific Builders, Inc., for Street Light Improvements (Circuits 51 and 52)**

The City Council will consider: (PW)

- a. Approving the request to withdraw the bid and release of the bid bond from the apparent low bid, AK Engineering, due to their clerical error in bid preparation; and
- b. Directing the City Clerk to notify AK Engineering of the City's approval to withdraw its bid and release the bid bond; and
- c. Awarding a construction contract to the third low bidder (second low bid rejected as nonresponsive) in the amount of \$295,000 to Lincoln Pacific Builders, Inc. for Street Light Improvements (Circuits 51 and 52) on Jackson, Washington, Orange, and Walnut Avenues between Tweedy Boulevard and the South City limit, City Project No. 421-LT; and
- d. Authorizing the Mayor to execute a construction contract with Lincoln Pacific Builders, Inc. in a form approved by the City Attorney.

**22. Annual Development Water Fee Report**

The City Council will consider receiving and filing the Annual Development Water Fee Report. (PW)

**23. Illegal Vendor Report**

The City Council will consider receiving and filing the Illegal Vendor Report. (PD)

**24. Vacancy Review and Exemption from Hiring Freeze: Police Officer, Sergeant Position and Senior Civil Engineer**

The City Council will consider: (ADMIN/PERS)

- a. Removing the City’s hiring freeze on one (1) Police Sergeant’s position and one (1) Grant Funded Police Officer position in the Police Department and one (1) Senior Civil Engineer position in the Public Works Department; and
- b. Adopting a **Resolution** \_\_\_\_\_ to reclassify the Assistant Engineer Position to Senior Civil Engineer Position; and
- c. Authorizing staff to fill these positions.

**25. City Council Meeting Minutes of September 22, 2009**

The City Council will consider approving the Special City Council Meeting Minutes of September 22, 2009 and the Regular City Council Meeting Minutes of September 22, 2009. (CLERK)

**26. Warrant Register for October 13, 2009**

The City Council will consider approving the Warrants and Cancellations for October 13, 2009 (FIN)

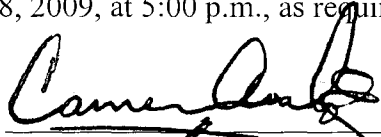
|                              |                          |
|------------------------------|--------------------------|
| Total of Checks:             | \$4,316,800.51           |
| Voids                        | \$ -847.36               |
| Total of Payroll Deductions: | <u>\$ &lt;403,113.37</u> |
| Grand Total:                 | \$3,912,839.78           |

Cancellations: 24272, 24060, 21948, 23660, 24313, 24309

**27. Adjournment**

Adjournment in memory of Janet Stubbs, former City Clerk of South Gate.

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on October 8, 2009, at 5:00 p.m., as required by law.

  
Carmen Avalos, City Clerk

# City of South Gate

CITY COUNCIL

Item No. 1

**RECEIVED**

OCT 1 2009

## AGENDA BILL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: October 13, 2009

Originating Department: Police

Dept. Head:

*Vincent Avila*

City Manager:

*Ronald Bates*

### **SUBJECT: A PROCLAMATION DECLARING THE MONTH OF OCTOBER AS "CRIME PREVENTION MONTH"**

**ACTION:** Mayor Gonzalez will issue a Proclamation declaring the month of October as "Crime Prevention Month."

**FISCAL IMPACT:** None.

**REPORT SUMMARY:** Crime Prevention Month reflects the strong belief that time, money and other resources spent on prevention, yield tremendous benefits in reducing crime and making communities stronger, safer and better places to live, work and play. We must build on our successes and continue to forge new partnerships to reduce crime.

The National Crime Prevention Council, the nation's focal point for stopping crime, in 1984 designated October as Crime Prevention Month. The month-long celebration recognizes successful crime prevention efforts on the local, state and national levels, while promoting awareness of important issues such as victimization, volunteerism, and creating safer, more caring communities.

As part of Crime Prevention Month, the South Gate Police Department will be hosting Family Day in the Park on October 3, 2009, to promote families as the foundation for the future and to educate residents on the various services that are available in our community. Also during the week of October 23-31, 2009, the South Gate Police Department will participate in National Red Ribbon Week, which encourages the citizens of South Gate to participate in drug prevention education activities.

**ATTACHMENT:** Proclamation

# **Crime Prevention Month**

October 2009

- WHEREAS,** *the vitality of the City of South Gate depends on how safe we keep our homes, neighborhoods, schools, workplaces and communities; and*
- WHEREAS,** *crime and fear of crime destroy our trust in others and in institutions, threatening the community's health, prosperity and quality of life; and*
- WHEREAS,** *people of all ages must be made aware of what they can do to prevent themselves, their families, neighbors and co-workers from being harmed by drugs, violence and other crimes; and*
- WHEREAS,** *the personal injury, financial loss, and community deterioration resulting from crime are in tolerable and require investment from the whole community; and*
- WHEREAS,** *crime prevention initiatives must include self-protection and security, but they must go beyond these to promote collaborative efforts to make neighborhoods safer for all ages and to develop positive educational and recreational opportunities for young people; and*
- WHEREAS,** *adults must invest time, resources, and policy support in effective prevention and intervention strategies for youth, and teens must be engaged in driving crime from their communities; and*
- WHEREAS,** *effective crime prevention programs excel because of partnerships among law enforcement, other government agencies, civic groups, schools, faith communities, businesses and individuals as they help to nurture communal responsibility and instill pride;*

**NOW, THEREFORE,** be it proclaimed on this 13<sup>th</sup> day of October 2009, that **I, Henry C. Gonzalez, Mayor of the City of South Gate, on behalf of the City Council,** do hereby proclaim October 2009 as "Crime Prevention Month" in South Gate, and urge all citizens, government agencies, public and private institutions, and businesses to invest in the power of prevention and work together to make South Gate a safer, stronger, more caring community.

  
Henry C. Gonzalez, Mayor

**RECEIVED**

# City of South Gate

CITY COUNCIL

**Item No. 2**

OCT 1 2009

## AGENDA BILL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: October 13, 2009

Originating Department: Police

Dept. Head:



Vincent Avila

City Manager:



Ronald Bates

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**SUBJECT: A PROCLAMATION DECLARING THE MONTH OF OCTOBER AS  
"NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH"**

**ACTION:** Mayor Gonzalez will issue a Proclamation declaring the month of October as "National Domestic Violence Awareness Month."

**FISCAL IMPACT:** None.

**REPORT SUMMARY:** Domestic violence is not a private family dispute that affects only the people involved. Domestic violence is violent criminal activity that affects us all, regardless of gender, race, income, or age, in every community in this country. It means higher health care costs, increased absenteeism, and declining productivity. It destroys families, relationships, and lives. More importantly, it tears at the moral fabric of who we are and undermines the very institution that has been the cornerstone of our country: the family.

In passing the Violence Against Women Act as part of the Violent Crime Control Act, Congress recognized the seriousness of the domestic violence problem. Throughout October, National Domestic Violence Awareness Month, business, labor, law enforcement, public health, and civic organizations will be working to increase our understanding of this problem and create solutions that can save lives.

The South Gate Police Department is providing purple ribbons through our Crime Prevention Unit to staff members at all of our schools and to City employees to wear during the month of October as we join with the President of the United States and other American communities, State coalitions and National organizations as together we conduct community awareness campaigns, fund-raisers and special events to educate the public about the problem of domestic violence and its effect on the communities at large.

**ATTACHMENT:** Proclamation.