



SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, September 12, 2006 at 6:30 p.m.

CALL TO ORDER: Maria Davila, Mayor
INVOCATION: Father John Provenza, St. Helen Church
PLEDGE OF ALLEGIANCE: Bobbie Thompson, South Gate Resident
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

City Council Chambers, 8650 California Avenue, South Gate, California 90280
(323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org

<i>CLOSED SESSION: (ATTY)</i>	
1.	<p><u>CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION</u> Pursuant to Government Code Section 54956.9(a)</p> <ul style="list-style-type: none"> a. City of South Gate v. Strategy Workshop b. Tokar v. City of South Gate c. Mike Borja v. City of South Gate
2.	<p><u>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION</u> Pursuant to Government Code Section 54956.9(c)</p> <p>One (1) – Potential Case</p>
3.	<p><u>CONFERENCE WITH LABOR NEGOTIATOR</u> Pursuant to Government Code Section 54957.6</p> <p>Agency Representation: City Manager Gary Milliman</p> <p>Employee Organizations: South Gate MEA South Gate PMMA South Gate DMA South Gate Top Management</p>

OPEN SESSION AGENDA

1. Appointment to the Parks and Recreation Commission

Councilman Gregory Martinez will appoint Bobbie Thompson to the Parks and Recreation Commission and the appointment will be ratified by a majority vote of the City Council. (ADMIN)

2. Introduction of New Employees in the Community Development Department

The City Council will be introduced to the recently hired employees in the Community Development Department. (CD)

3. Introduction of New Police Officers in the Police Department

The City Council will be introduced to the recently hired Police Officers. (PD)

4. Recognition of Urban League Youth Golf Program Tournament Winners

Mayor Davila will present Certificates of Appreciation to the Urban League Youth Golf Program Tournament Winners.

5. Public Hearing to Consider Approval of Tentative Tract Map and Zone Change At 5495 Gardendale Street

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; and
- c. Waiving the reading and introducing an **Ordinance** _____ changing the zoning at the rear third of 5494 Gardendale Street from M-2 to R-3 to allow development of a seven unit condominium project.

6. Introduction of an Ordinance Pertaining to Preferential Parking Districts

The City Council will conduct a Public Hearing to consider waiving the reading and introducing an **Ordinance** _____ amending Title 8 (Traffic), Chapter 8.12 (Stopping, Standing and Parking of Vehicles), Section 8.12.090 (Authority to Establish Preferential Parking Zones) of the South Gate Municipal Code by establishing Preferential Parking Districts. (CD)

7. Public Hearing on an Ordinance Limiting Paving in Residential Front Yards

The City Council will conduct a Public Hearing to consider waiving the reading and introducing an **Ordinance** _____ amending Chapters 11.07 (R-1-7500 Single-Family Residential), 11.08 (R-1 Single-Family Residential), 11.10 (R-2 Two-Family Residential), 11.12 (R-3 Multiple-Family Residential), and 11.14 (R-4 Restricted Service) Zones of Title Eleven (Zoning), of the South Gate Municipal Code by adding Section Containing Language Limiting Paving within the front yard setback area of residential properties. (CD)

8. Public Hearing for an Additional Carrier on an Existing Digital Wireless Telecommunications Facility (CD)

The City Council will conduct a Public Hearing to consider adopting a **Resolution** _____ approving Unclassified Use Permit No. 27, Amendment No. 2 for an additional carrier on an existing digital wireless telecommunications facility at 10000 Atlantic Avenue

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 and 19 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. Adoption of Ordinance No. 2216 Reclassifying a Portion of 3830 Firestone Boulevard from R-3 (Multiple Family Residential) to C-M (Commercial-Manufacturing) for the Purpose of Developing a Used Car Sales Lot

The City Council will consider waiving the reading and adopting **Ordinance 2216** changing the zoning designation to the rear forty feet of the lot located at 3830 Firestone Boulevard from R-3 to C-M. (CD)

10. Adoption of Ordinance No. 2217, Amending Section 11.15.010 (Permitted Uses in the Restricted Commercial Zone and 11.18.010 (19)(a) (3) (Massage Establishments) of Title 11 (Zoning Regulation) of South Gate Municipal Code

The City Council will consider waiving the reading and adopting **Ordinance 2217** amending Title 11 (Zoning), Chapter 11.04 (Definitions), Chapter 11.15 (C-2 Restricted Commercial Zone), Section 11.15.010 (Permitted Uses), Chapter 11.18 (C-3 General Commercial Zone), and Section 11.18.010 (Permitted Uses), Subdivision (19) (Massage Establishment, Subsection) (a)(3) of the South Gate Municipal Code further specifying the location and additional conditions of operation for massage related uses. (CD)

<p>11. Resolution Regarding Memorandum of Understanding (MOU) for I-710/Firestone Boulevard Interchange Reconstruction over Los Angeles River Bridge Widening, Phase IV</p> <p>The City Council will consider adopting a Resolution _____ authorizing execution of the Los Angeles County Metropolitan Transportation Authority (Metro) Memorandum of Understanding with the City for the I-710/Firestone Boulevard Interchange Reconstruction Project, Phase IV (PW)</p>
<p>12. Capital Reserve Agreement Between Los Angeles County Metropolitan Transportation Authority (Metro) for the I-710/Firestone Boulevard over Rio Hondo Bridge Widening, Phase III</p> <p>The City Council will consider adopting a Resolution _____ authorizing execution of the Los Angeles County Metropolitan Transportation Authority (Metro) Capital Reserve Agreement with the City for the I-710/Firestone Boulevard over Rio Hondo Bridge Widening Project, Phase III (PW)</p>
<p>13. A Resolution Amending the Position Specifications for the Positions of Assistant to the City Manager – Economic Development</p> <p>The City Council will consider adopting a Resolution _____ amending Resolution No. 6454 (Salary Resolution and Positions Classification Plan) by amending the position specifications for the position of Assistant to the City Manager – Economic Development. (ADMIN/PERS)</p>
<p>14. Certification of PERS Industrial Disability Retirement for Robert Tokar, Police Officer</p> <p>The City Council will consider adopting a Resolution _____ determining that Robert Tokar 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. (ADMIN/PERS)</p>
<p>15. Approval of the Hourly Police Cadet Position, Position Specification and Hourly Rate</p> <p>The City Council will consider approving the hourly Police Cadet position, position specification and hourly rate. (ADMIN/PERS)</p>
<p>16. Transportation Study and Needs Assessment</p> <p>The City Council will consider: (PARKS)</p> <ul style="list-style-type: none"> a. Receiving and filing the Transit Development Plan report; and b. Direct staff to begin implementing the recommendations provided within the report; and c. Direct staff to negotiate a contract extension with AAE, Inc., to include the preparation of a transportation services RFP based upon the findings outlined in the report and to assist in the evaluation of those proposals received.

<p>17. Request for Waiver of Fees for St. Helen Church’s Annual Carnival</p> <p>The City Council will consider waiving the Carnival Permit Application Fee in the amount of \$654 as requested by St. Helen Roman Catholic Church for their Annual Fiesta (carnival) scheduled for September 22, 23 and 24. (ADMIN)</p>
<p>18. Retainer Agreement for Sulmeyer Kupetz, a Professional Corporation</p> <p>The City Council will consider continuing the consideration to enter into an agreement to retain Sulmeyer Kupetz, A Professional Corporation (“firm”), to provide professional litigation services to the City of South Gate and the City’s Community Development Commission in such matters as may be designated by the City Attorney, and authorizing Mayor to execute a retainer agreement in a form acceptable to the City Attorney, to the City Council Meeting of September 26, 2006. (ATTY)</p>
<p>19. Approval of City Council Meeting Minutes</p> <p>The City Council will consider approving the Regular City Council Meeting Minutes of August 22, 2006. (CLERK)</p>

20. Amendment to the Independent Cities Lease Finance Authority Joint Powers Agreement

The City Council will consider adopting a **Resolution _____** approving Amendment No. 6 to the Joint Powers Agreement with the Independent Cities Lease Finance Authority and providing other matters properly relating thereto.

21. Approval of Six Hourly Police Officer Positions

The City Council will consider: (PD)

- a. Approving six hourly Police Officer positions; and
- b. Approving conversion of current Reserve Police Officer positions to hourly Police Officer positions; and
- c. Authorizing the appropriation of \$112,644.00 from the General Fund Reserve Account.

22. Appropriation of Funds to Purchase Surveillance Equipment

The City Council will consider authorizing the appropriation of \$15,000 from the Asset Seizure Fund Reserve for the purchase and installation of 20 surveillance cameras. (PD)

23. Appropriation for the Citizens on Patrol Program

The City Council will consider authorizing an appropriation of \$14,828 from AB 3229 grant funds for the Citizens on Patrol Program. (PD)

24. Contract Award for Traffic Signal Upgrade at Hildreth Avenue and Tweedy Boulevard Intersection

The City Council will consider: (PW)

- a. Awarding a \$287,702 construction contract to Steiny and Company, Inc., the lowest responsible bidder, for the traffic signal upgrade at the intersection of Hildreth Avenue and Tweedy Boulevard, City Project No. 348-TRF; and
- b. Authorizing the Mayor and City Clerk to execute the construction contract in a form approved by the City Attorney.

25. Firestone Boulevard and Atlantic Avenue Intersection Improvement Project

The City Council will consider: (PW)

- a. Accepting the proposal from PCR to prepare a Mitigated Negative Declaration for roadway improvements; and
- b. Approving the preliminary plan for the widening of the intersection of Firestone Boulevard and Atlantic Avenue.

26. Tweedy Mile Association Annual Street Fair Report

The City Council will consider receiving and filing the Tweedy Mile Association Annual Street Fair Report. (ADMIN)

27. Amendment No. 2 to City Manager Employment Agreement Regarding Compensation

The City Council will consider approving Amendment No. 2, regarding compensation, to Contract No. 2131, Employment Agreement with Gary Milliman as City Manager. (ADMIN)

28. Fiscal Year 2005-2006 Summary Report

The City Council will consider: (FIN)

- a. Appropriating \$635,000 to General Fund for Debt Service on 2002 Certificates of Participation which was budgeted in the Redevelopment Agency instead of the General Fund; and
- b. Appropriating \$40,000 to the Community Development Department Professional Services account for Plan Checking services (offset by increase in revenue); and
- c. Appropriating \$80,000 from the Community Redevelopment Commission's Fund 51 reserve to the Professional Services account for the services related to the Gateway Development (to be reimbursed by developer's deposit); and
- d. Appropriating \$5,000 from the Public Access Corporation's reserve for operating expenses related to the transfer of Adelphia Cable to Time Warner; and

- e. Appropriating \$125,000 to the Refuse Fund’s Professional Services account for Waste Management Services (offset by increase in revenue); and
- f. Appropriating \$16,000 from the Equipment Maintenance Fund’s reserve to the fuel account for increased cost in fuel; and
- g. Approving the recommended appropriation carryovers listed in this report

29. Warrants and Cancellations

The City Council will consider approving the Warrants and Cancellations for September 12, 2006. (FIN)

FISCAL YEAR 2006/2007

Total of Checks:	\$1,960,185.84
Total of Payroll Deductions:	<u>\$ < 255,339.18 ></u>
Grand Total:	\$1,704,846.66

Cancellations: 128964, 129016, 129131, 129529, 129586

30. Adjournment

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on September 7, 2006 at 5:30 p.m., as required by law.

Carmen Avalos, City Clerk