



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

**Tuesday, November 14, 2006 at 6:30 p.m.**

**CALL TO ORDER:** Maria Davila, Mayor  
**INVOCATION:** Pastor Ernesto Trejo, South Gate Church of Christ  
**PLEDGE OF ALLEGIANCE:** Bryan Cook, Assistant to the City Manager  
**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

<b><i>CLOSED SESSION: (ATTY)</i></b>	
1.	<p><b><u>CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION</u></b> Pursuant to Government Code Section 54956.9(a)</p> <p style="margin-left: 40px;">a. Victor Abel Gonzalez v. City of South Gate b. Psomas v. City of South Gate Utility Authority</p>
2.	<p><b><u>CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION</u></b> Pursuant to Government Code Section 54956.9(c)</p> <p style="margin-left: 40px;">One (1) – Potential Case</p>
3.	<p><b><u>CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS</u></b> Pursuant to Government Code Section 54956.8</p> <p style="margin-left: 40px;">Property: 9015 Long Beach Boulevard, South Gate, California, 90280 City Negotiator: Gary Milliman, City Manager Negotiating with: Dwayne Corbitt Under Negotiation: Purchase and sale</p>

**OPEN SESSION AGENDA**

**1. An Ordinance Removal - Increasing the Required Setback for Second Stories of Residential Development**

The City Council will conduct a Public Hearing to consider removing the introduction of an Ordinance amending certain Sections of Chapters 11.07 (R-1-7500 Single-Family Residential Zone), 11.08 (R-1 Single-Family Residential Zone), 11.10 (R-2 Two-Family Residential Zone), 11.12 (R-3 Multiple-Family Residential Zone), and 11.14 (R-4 Restricted Service Zone) of Title 11 (Zoning) of the Municipal Code by modifying sections containing language regarding the front yard setback area and side yard setback area of residential properties from the City Council Meeting Agenda. (CD)

**2. Introduction of an Ordinance to Renew the Existing Franchise Agreement with Pacific Pipeline System LLC**

The City Council will conduct a Public Hearing and continue the reading and introduction of an Ordinance granting a five year franchise to Pacific Pipeline System LLC, to lay and use pipes, ditches, flumes, conduits and appurtenances for transmitting and distributing oil or products thereof, for any and all purposes in, along, across, upon and under the public streets, ways, alleys and places, as the same now or may hereafter exist, within the City of South Gate, to the City Council Meeting of January 9, 2007. (PW)

**3. Overnight Parking Prohibition of Commercial Vehicles on Designated Certain Streets**

The City Council will conduct a Public Hearing to continue the discussion of designation certain streets to be restricted for overnight parking by commercial vehicles to the City Council meeting of November 28, 2006. (PW)

**4. Reallocation of Community Development Block Grant Funds**

The City Council will conduct a Public Hearing to consider reallocating CDBG funds from fiscal years 2005/06 and 2006/07. (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 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 Authorizing the Destruction of Certain Records Retained in Both City Hall Departments and Police Department Storage Areas**

The City Council will consider adopting a **Resolution** \_\_\_\_\_ authorizing the destruction of Certain records retained in both City Hall Departments and Police Departments storage areas.  
(CLERK)

**6. Retainer Agreement for Ferguson, Praet & Sherman**

The City Council will consider: (ATTY)

- a. Entering into an agreement (**Contract** \_\_\_\_\_) to retain the law firm of Ferguson, Praet & Sherman (“Praet Firm”), to provide legal services for personnel related matters to the City of South Gate; and
- b. Authorizing the Mayor to execute a retainer agreement in a form approved by the City Attorney.

**7. Tweedy Mile Special Patrol Services**

The City Council will consider approving an **Agreement (Contract** \_\_\_\_\_) with the Tweedy Mile Association for special patrol services along the Tweedy Mile business district.  
(ADMIN/PD)

**8. Bid Authorization for the I-710/Firestone Boulevard Interchange, Phase III**

The City Council will consider: (PW)

- a. Approving plans and specifications and Notice Inviting Bids for the I-710/Firestone Boulevard Interchange, Phase III (Firestone Boulevard Bridge Widening over Rio Hondo Channel), Federal Project No. BRLSZD-5257 (013) and City Project No. 275-ST and;
- b. Concur with Caltrans and FHWA’s approval of the environmental documents; and
- c. Authorizing the City Clerk to publish the Notice Inviting Bids as required by the law.

**9. Approval of Funding for the Repair of the South Playground at South Gate Park**

The City Council will consider :

- a. Approving the purchase and installation of repair parts for the South Gate Park South Playground in the amount of \$4,755.29; and
- b. Approving the replacement of the rubberized surfacing for the South Gate Park South Playground in the amount of \$23,097.00; and
- c. Allocating \$27,852.29 of the City’s Prop A Maintenance and Servicing Funds for this purpose.

**10. Retainer Agreement for the Sulmeyer Kupetz Firm: Removing Item from City Council Agenda**

The City Council will consider removing from the Council Meeting Agenda further consideration of the Sulmeyer Kupetz firm to provide legal services to the City, with direction to the City Attorney to re-introduce the agenda item at such time as the City Attorney determines appropriate.

**11. Approval of City Council Meeting Minutes**

The City Council will consider approving the Regular City Council Meeting Minutes of October 24, 2006. (CLERK)

**12. A Resolution Rescinding Resolution Nos. 6622, 6623 and 6624**

The City Council will consider adopting a **Resolution \_\_\_\_\_** rescinding Resolution No. 6622 establishing the Teen Commission, Resolution No. 6623 establishing the Environmental Review Commission and Resolution No. 6624 establishing the Police Commission. (ADMIN)

**13. Adoption of March 6, 2007 Election Resolutions – Ballot Measure Changing the Existing Office of the City Treasurer from an Elected Office to an Appointed Office**

The City Council will consider a motion to adopt by individual vote:

- a. Adopting a **Resolution \_\_\_\_\_** ordering the submission to the qualified electors of the City of a certain Measure “T” relating to changing of the existing office of the City Treasurer from an elected office to an appointed position, at the General Election to be held on Tuesday, March 6, 2007 as called by Resolution No. 1747; and
- b. Adopting a **Resolution \_\_\_\_\_** setting priorities for filing written arguments regarding City Measures and directing the City Attorney to prepare an impartial analysis; and
- c. Adopting a **Resolution \_\_\_\_\_** providing for the filing of rebuttal arguments for City Measures submitted at Municipal Elections; and
- d. Approving a Notice of Election with Measure “T” and a Notice to voters of date after which No Argument for or against City Measures may be submitted to the City Clerk for publishing and posting; and
- e. Approving the Argument in favor of Measure “T”

**14. Approval of Conditions and Authorization for 2007 Tweedy Mile Street Fair**

The City Council will consider: (ADMIN)

- a. Approving the hours of operations and boundaries for the 2007 Tweedy Mile Street Fair;
- b. Waiving the business license event fee in the amount of \$4,825.00;
- c. Authorizing the Tweedy Mile Association to organize and conduct a sidewalk sale during the days and hours of the Tweedy Mile Street Fair; and
- d. Authorizing the City Manager to execute the agreement (**Contract \_\_\_\_\_**) with Tweedy Mile Business Association to use the public right-of-way for this event, amend as needed and negotiate all other conditions as needed.

**15. Report from City Attorney on First Year Results from City's Anti-Truancy Program known as Project ATTEND**

The City Council will consider receiving and filing a report on the first year results from City's anti-truancy program known as Project ATTEND (Attaching Truancy Through Education and Necessary Determination).

**16. Consideration of Establishing a Local Advisory Committee for I-710 Major Corridor**

The City Council will consider: (PW)

- a. Establishing a procedure for the selection of the Local Advisory Committee for the I-710 Environmental Impact Report and Environmental Impact Statement phase of the I-710 Major Corridor; and
- b. Authorizing staff to proceed with the creation of the Local Advisory Committee consisting of members of Tier I Committee, affected residents and/or businesses; and
- c. Authorizing the proposed LAC Committee select a Chairperson and an Alternate to serve on the I-710 Corridor Advisory Committee.

**17. Commercial/Industrial Refuse Collection Rate Increase Based on the Consumer Price Index Adjustment and Disposal Costs**

The City Council will consider approving a commercial/industrial refuse rate increase of 8% and a 5.3% adjustment to non-disposal services rates as authorized in the Franchise Agreement for Refuse Collection and Recycling Services. (PW)

**18. Civic Center Redevelopment Feasibility Study**

The City Council will consider: (ADMIN)

- a. Authorizing the City Manager to enter into an agreement (**Contract \_\_\_\_\_**) with JCA Resources Inc., and KMD Architects, as approved by the City Attorney, for a needs assessment and feasibility study of the redevelopment of the Civic Center; and
- b. Authorizing a budget allocation in the amount of \$150,000 from the General Fund Reserve to fund the needs assessment and feasibility study.

**19. Contract Award for Rehabilitation of Five Parking Lots at South Gate Park**

The City Council will consider: (PW)

- a. Approving Notice of Exemption filed with the Los Angeles County Recorder office on December 14, 2005; and
- b. Awarding a \$721,452.75 construction contract to Sequel Contractors, Inc., the lowest responsible bidder, for the Parking Lots Rehabilitation Project, City Project No. 345-ST, contingent upon City Council allocation of \$318,280.86 from an earlier agenda item related to the reallocation of unallocated 2005/2006 and 2006/2007 CDBG funding; and
- c. Waiving as immaterial Sequel's acknowledgement of receipt of Addendum No. 1 as described in the report summary; and
- d. Authorizing the Mayor and City Clerk to execute the contract; and
- e. Accepting Willdan proposal for construction management services for \$52,750.

**20. Firestone Boulevard and Atlantic Avenue Intersection Improvement Project Right-of-Way Services (PW)**

The City Council will consider:

- a. Accepting proposal for professional right-of-way services from Epic Land Solutions, Inc. in the amount of \$93,450; and
- b. Appropriating \$93,450 plus \$10,000 contingency from Proposition C Funds for right-of-way services for the Firestone Boulevard and Atlantic Avenue Intersection Improvement Project, City Project No. 364-ST; and
- c. Approving Professional Services Agreement (attached) and authorizing the Mayor to sign the Agreement in a form approved by the City Attorney.

**21. Warrants and Cancellations**

The City Council will consider approving the Warrants and Cancellations for November 14, 2006. (FIN)

Total of Checks:	\$1,528,997.63
Total of Payroll Deductions:	<u>\$ &lt;61,721.39&gt;</u>
Grand Total:	\$1,467,276.24

Cancellations: 127101, 128332, 129640, 129645, 129647, 129874, 130859, 130925

**22. City Council and Planning Commission Joint Briefing for General Plan Update**

The City Council and Planning Commission will consider receiving a brief update of the General Plan update process. (CD)

**23. Adjournment**

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on November 8, 2006 at 4:30 p.m., as required by law.

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Carmen Avalos, City Clerk