

SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, May 11, 2010 at 6:30 p.m.

CALL TO ORDER: Gregory Martinez, Mayor
INVOCATION:
PLEDGE OF ALLEGIANCE:
ROLL CALL: Carmen Avalos, City Clerk

MAYOR
Gregory Martinez

CITY CLERK
Carmen Avalos

VICE MAYOR
Maria Davila

CITY TREASURER
Maria Belen Bernal

COUNCIL MEMBERS
Bill De Witt
Gil Hurtado
Henry C. Gonzalez

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. Proclamation declaring National Public Works Week May 16-22, 2010

The City Council will issue a Proclamation declaring the week of May 16-22, 2010 as “National Public Works Week.” (PW)

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 2, 3, 4, 5, 6, 7, 8, and 9 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.

2. Resolutions – Fiscal Year 2010-2011 Annual Levy and Collection of Assessments in a Special Maintenance District

The City Council will consider: (PW)

- a. Adopting a **Resolution** _____ approving the Assessment Engineer's Report for proceedings for the Fiscal Year 2010-2011 Annual Levy of Assessments within a Special Maintenance District; and
- b. Adopting a **Resolution** _____ declaring its intention to provide for the Fiscal Year 2010-2011 Annual Levy and Collection of Assessments in a Special Maintenance District, and setting a Public Hearing for June 22, 2010 for a Special Maintenance District.

3. Resolution – Approving the final Parcel Map No. 71126 for a Mixed Use Project at 12222 Garfield Avenue

The City Council will consider adopting a **Resolution** _____ approving the final Parcel Map No. 71126 for a mixed use project featuring 101 senior housing units and 9,600 square feet commercial space at 12222 Garfield Avenue. (CD)

4. Lease of the Llovio Ford Project Site to Central Ford Automotive Inc.

The City Council will consider: (CD)

- a. Consenting to the lease of the Llovio Ford Project Site to Central Ford Automotive, Inc.; and
- b. Authorizing the Mayor on behalf of the City to execute and deliver the (i) Estoppel and Agreement; (ii) Security Agreement; and (iii) Subordination, Consent, Non-Disturbance and Attornment Agreement in a form acceptable to the City Attorney.

5. Contract with Shawnan for Widening of Kauffman and Dorothy Avenue and Construction of a Center Raised Median Island

The City Council will consider: (PW)

- a. Awarding construction **Contract** _____ to Shawnan, the lowest responsible bidder, in the amount of \$1,170,280 for widening of Kauffman and Dorothy Avenue between Firestone Boulevard and Southern Avenue and construction of a center raised median island on Firestone Boulevard between Kauffman and Hunt Avenues, City Project No. 424-ST, contingent upon the completion of CEQA proceedings; and
- b. Authorizing the Mayor to execute the Agreement in a form approved by the City Attorney.

<p>6. Summary Report of Departmental Activities to Secure Grants and Other Funds</p> <p>The City Council will consider receiving and filing a summary report of departmental activities to secure grants and other funds. (PW)</p>
<p>7. 2009 Water Consumer Confidence Report</p> <p>The City Council will consider receiving and filing the 2009 Water Consumer Confidence Report. (PW)</p>
<p>8. Letter to President Obama Concerning Immigration</p> <p>The City Council will consider authorizing any Member of the City Council to co-sign a letter to President Barack Obama concerning immigration. (ADMIN)</p>
<p>9. City Council Meeting Minutes of April 27, 2010</p> <p>The City Council will consider approving the Special City Council Meeting Minutes of April 27, 2010 and Regular City Council Meeting Minutes of April 27, 2010. (CLERK)</p>

10. Urgency Ordinance No. 2272 Authorizing an Amendment to the PERS Contract and Approving the PERS Amendment

The City Council will consider: (FIN)

- a. Adopting Urgency Ordinance No. 2272 authorizing an Amendment to the Contract between the City Council of the City of South Gate and the Board of Administration of the California Public Employees’ Retirement System;
- b. Approving the Amendment to Contract between the Board of Administration California Public Employees’ Retirement System and the City Council of the City of South Gate;
- c. Approving Form PERS-CON-5 Certification of Final Action of Governing Body.

11. Warrant Register for May 11, 2010

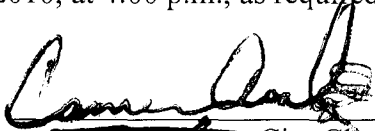
The City Council will consider approving the Warrants and Cancellations for May 11, 2010 (FIN)

Total of Checks:	\$1,790,785.94
Voids	\$ 560.21
Total of Payroll Deductions:	<u>\$ <229,738.96></u>
Grand Total:	\$1,560,486.77

Cancellations: 27975, 27646, 27075, 26910, 24826

12. Adjournment

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on May 6, 2010, at 4:00 p.m., as required by law.



Carmen Avalos, City Clerk

RECEIVED

MAY 3 2010

City of South Gate

CITY COUNCIL

Item No. 1

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the meeting of: May 11, 2010

Originating Department: Public Works

Department Head:

Robert T. Dickey
Robert T. Dickey

City Manager:

Ronald Bates
Ronald Bates

SUBJECT: NATIONAL PUBLIC WORKS WEEK: MAY 16, 2010 THROUGH MAY 22, 2010

ACTION: Mayor Martinez will issue a Proclamation declaring the week of May 16-22, 2010 as "National Public Works Week."

FISCAL IMPACT: None

REPORT SUMMARY: National Public Works Week recognizes tens of thousands of men and women in North America who provide and maintain the infrastructure and services collectively known as public works. Instituted as a public education campaign by the American Public Works Association in 1960, this celebration calls attention to the value of public works to sustain our communities. The week of May 16-22, 2010 recognizes personnel and professionals who serve people every day with dedication and commitment to public service.

The citizens of South Gate have a substantial public investment exceeding \$250 million in streets, sidewalks, trees, streetlights, traffic signals, public buildings, storm drains, sewers, and the water system. South Gate Public Works staff manages and maintains these facilities to provide public health and safety.

ATTACHMENT: Proclamation

MM:lc

"National Public Works Week"
May 16-22, 2010

WHEREAS, *the City of South Gate Public Works Department maintains 125 miles of roadways and sewers, a full service water system, sidewalks, trees, streetlights, traffic signals, traffic striping, street markings and regulatory signs, refuse collection, graffiti removal, and street sweeping; and*

WHEREAS, *the City Council authorized the Public Works Department to initiate and complete major projects: \$20 million for Firestone Boulevard and Atlantic Avenue intersection improvements; \$15 million for widening of Firestone Boulevard over Los Angeles River; \$1.4 million for Street Lighting improvement; \$5.6 million for Atlantic Avenue street and drainage improvements; \$1.2 million for State Street improvements; \$1.5 million for Kauffman Avenue and Dorothy Avenue street widening project; \$2 million for the Safe Route to School and Highway Safety improvements including traffic signal modifications at various locations, and raised medians on Tweedy Boulevard west of Long Beach Boulevard; \$1.5 million for SCADA System upgrade; \$700,000 for traffic signal upgrades along Firestone Boulevard; \$500,000 for Sewer System upgrade; \$350,000 for new traffic signal at Tweedy Boulevard/Alameda Street; \$400,000 for Sports Center Air Handler replacement; \$1.7 million for Willow Street widening and new traffic signals; \$1.3 million for Firestone Boulevard/Rayo Avenue intersection improvements; and*

WHEREAS, *public investment in streets, water systems, sewers, drainage, street lighting, traffic signals, and public buildings, require careful management and use of public funds which adds value to private property and community betterment; and*

WHEREAS, *qualified, professional and dedicated Public Works personnel support the community and Earth Day events calling attention for the need to take care of our community;*

NOW, THEREFORE, *be it proclaimed on this 11th day of May 2010, that I, Gregory Martinez, Mayor of the City of South Gate, on behalf of the City Council and citizens of South Gate do hereby proclaim the week of May 16 through May 22, 2010 as "National Public Works Week" and call upon all citizens and civic organizations to acquaint themselves with the challenges involved in providing public works facilities and services, and to recognize the contributions that public works officials make every day to our health, safety, comfort and quality of life.*


Gregory Martinez, Mayor

RECEIVED

City of South Gate

Item No. 2

CITY COUNCIL

MAY 5 2010

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: May 11, 2010

Originating Department: Public Works

Department Head:

Robert T. Dickey
Robert T. Dickey

City Manager:

Ronald Bates
Ronald Bates

SUBJECT: 2010-2011 STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT NO. 1

ACTION:

- a. Adopt a Resolution approving the Assessment Engineer's Report for proceedings for the Fiscal Year 2010-2011 Annual Levy of Assessments within a Special Maintenance District; and
- b. Adopt a Resolution declaring its intention to provide for the Fiscal Year 2010-2011 Annual Levy and Collection of Assessments in a Special Maintenance District, and setting a Public Hearing for June 22, 2010 for a Special Maintenance District.

FISCAL IMPACT: Annual revenue from this assessment is approximately \$2,001,741.^{RM}

REPORT SUMMARY: Each year, the City Council undertakes certain proceedings to confirm the assessments for Street Lighting and Landscaping Maintenance District No. 1 (District). The District operates pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code). District revenues can fund expenditures including streetlight energy costs, traffic signal maintenance, median maintenance, and tree trimming/removal services.

Maintenance costs have increased significantly since the formation of the District in 1993, although the assessment levy has not changed. At the direction of the City Council, staff has been working to improve the street light system by upgrading deficient circuits and installing energy efficient lighting. There are not sufficient funds available to repair the street lighting system and it would be many years to complete repairs, if indeed, the system is repairable. Staff is currently reviewing options for replacing the system.

MuniFinancial has prepared the Engineer's Report for FY 2010-2011 Street Lighting and Landscaping Maintenance District. Assessment proceedings schedule:

Date	Council Action
2-23-10	1. Resolution No. 7353 was adopted initiating proceedings to levy assessments, and ordering preparation of the Engineer's Report for the Street Lighting and Landscaping Maintenance District No. 1
5-11-10	1. Adopt Resolution approving the Engineer's Report 2. Adopt Resolution declaring the City's intention to levy and collect assessments, and set a public hearing for June 22, 2010
6-22-10	1. Conduct a public hearing 2. Adopt Resolution confirming the area boundary and ordering the levy of annual assessments
8-10-10	1. Deadline for filing Assessment Roll

ATTACHMENT: Proposed Resolutions

RESOLUTION NO. _____

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SOUTH GATE APPROVING THE ASSESSMENT
ENGINEER'S REPORT FOR PROCEEDINGS FOR THE
FISCAL YEAR 2010-2011 ANNUAL LEVY OF
ASSESSMENTS WITHIN A SPECIAL MAINTENANCE
DISTRICT

WHEREAS, the City Council of the City of South Gate, California, pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California, did by previous Resolution, initiate proceedings ordered the preparation of an Assessment Engineer's Report for the annual levy of assessments within a special maintenance district, said special maintenance district known and designated as MAINTENANCE DISTRICT NO. 1 (hereinafter referred to as the "Maintenance District"); and

WHEREAS, there has now been presented to this City Council the Assessment Engineer's Report, attached hereto as Exhibit "A", as required by said Division 15 of the Streets and Highways Code and as previously directed by Resolution; and

WHEREAS, this City Council has now examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements to be maintained, as set forth in said Report;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Report as presented consists of the following:

A. Plans and specifications describing the general nature, location and extent of the existing improvements to be maintained are on file in the City Engineer's office. No new improvements or any substantial changes in existing improvements are proposed for the next fiscal year; all improvements to be maintained are in existing public streets or sidewalks of the City;

B. Estimate of cost, including the amount of the annual installment for the forthcoming fiscal year;

C. Diagram of the Maintenance District;

D. Assessment of the estimated costs of the improvements, including the amount of individual the amount of individual annual installments for the next fiscal year. No assessments on any parcels within the Maintenance District are to be increased from those levied for the last fiscal year.

Said Report, as presented, is hereby approved on a preliminary basis, and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption, and the minutes of this meeting shall so reflect the presentation of the Assessment Engineer's Report.

PASSED, APPROVED and ADOPTED this 11th day of May 2010.


CITY OF SOUTH GATE

Gregory Martinez, Mayor

ATTEST:

Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:

Raul F. Salinas 

Raul F. Salinas, City Attorney

RESOLUTION NO. ____

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE DECLARING ITS INTENTION TO PROVIDE FOR THE FISCAL YEAR 2010-2011 ANNUAL LEVY AND COLLECTION OF ASSESSMENTS IN A SPECIAL MAINTENANCE DISTRICT, AND SETTING A PUBLIC HEARING FOR JUNE 22, 2010 FOR A SPECIAL MAINTENANCE DISTRICT

WHEREAS, the City Council of the City of South Gate, California, has previously formed a special maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972," being Division 15, Part 2 of the Streets and Highways Code of the State of California, such special maintenance district known and designated as Maintenance District No. 1 (hereinafter referred to as the "Maintenance District"); and

WHEREAS, at this time the City Council desires to undertake proceedings to provide for the annual levy of assessments for the next fiscal year to finance the costs and expenses necessary to pay for the maintenance of the improvements in said Maintenance District; and

WHEREAS, there has been presented and approved by this City Council the Assessment Engineer's Report, as required by law, and this City Council is desirous of continuing with the proceedings for said annual levy;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The public interest and convenience requires, and it is the intention of this legislative body, to levy and collect assessments to pay the annual costs and expenses for the maintenance and/or servicing of such improvements, from those parcels which specially benefit from improvements described below from the above-referenced Maintenance District, and said improvements are generally described as follows:

The operation, maintenance and servicing of the following improvements, all within existing public streets or public sidewalks of the City;

- A. Landscaping, ornamental vegetation, including trees, shrubs, irrigation systems and drainage facilities, together with appurtenances.
- B. Public lighting, street lighting improvements and traffic signals, together with appurtenances.

SECTION 3. Said works of improvements are of special benefit to the properties within the boundaries of said Maintenance District, which Maintenance District the legislative body previously declared to be the area benefited by said works of improvements, and for particulars, reference is made to the boundary map as previously approved by this legislative body, a copy of which is on file in the Office of the City Clerk and open for public inspection, and is designated by the name of this Maintenance District.

SECTION 4. The Annual Engineer's Report, as preliminarily approved by this legislative body, is on file with the City Clerk and open for public inspection. Reference is made to said Report for a full and detailed description of the improvements to be maintained, the boundaries of the Maintenance District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Maintenance District.

SECTION 5. All costs and expenses of the works of maintenance and incidental expenses have been apportioned and distributed to the benefiting parcels in accordance with the special benefits received from the proposed work. No assessments on any parcels within the Maintenance District are to be increased from those as levied for the last fiscal year.

SECTION 6. Notice is hereby given that a public hearing is hereby scheduled in the regular meeting place of this legislative body, being the Council Chambers, City Hall, 8650 California Avenue, South Gate, CA on the 22nd of June 2010 at 6:30 p.m.

At that time the legislative body will consider and finally determine whether to levy the proposed annual assessment, and to hear all protests relating to said proposed proceedings, or the estimate of the cost and expenses of the proposed maintenance, or the proposed annual assessment. Any and all persons interested may file a written protest prior to the conclusion of the hearing referred to herein or, having filed such a protest, may file a written protest must state all ground for objection. A written protest by a property owner must contain a description sufficient to identify the property owned by such person, e.g., assessor's parcel number.

Any interested person may mail a protest to the following address:

City Clerk
City of South Gate
8560 California Avenue
South Gate, CA 90280

To be considered by the legislative body, all protests must be received prior to the conclusion of the public hearing. A postmark prior to such date and time will not be sufficient.

SECTION 7. The City Clerk is hereby authorized and directed to give notice as required by law by causing a copy of this Resolution to be published in The Press, a newspaper of general circulation within said City; said publication to be completed not less than ten (10) days prior to the date set for the public hearing.

SECTION 8. For any and all information relating to these proceedings, including information relating to protest procedure, your attention is directed to the person designated below:

Director of Public Works
City of South Gate
8650 California Avenue
South Gate, CA 90280
Telephone: (323) 357-9657

SECTION 9. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED and ADOPTED this 11th day of May 2010.

CITY OF SOUTH GATE:

Gregory Martinez, Mayor

ATTEST:

Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:

Raul F. Salinas (23)

Raul F. Salinas, City Attorney

EXHIBIT A

**CITY OF SOUTH GATE
MAINTENANCE DISTRICT NO. 1
ASSESSMENT ENGINEER'S REPORT
Fiscal Year 2010/2011**



Intent Meeting: May 11, 2010

Public Hearing: June 22, 2010



Corporate Office:

27368 Via Industria
Suite 110
Temecula, CA 92590
Tel: (951) 587-3500
Tel: (800) 755-6864
Fax: (951) 587-3510

Office Locations:

Oakland, CA
Sacramento, CA

Phoenix, AZ
Orlando, FL

www.willdan.com/financial