

**SOUTH GATE CITY COUNCIL,
COMMUNITY DEVELOPMENT COMMISSION AND
PLANNING COMMISSION**

JOINT MEETING AGENDA

Tuesday, June 8, 2010 at 5:30 p.m.

CALL TO ORDER:

Gregory Martinez, Mayor/Chairperson

ROLL CALL:

Carmen Avalos, City Clerk/Recording Secretary

MAYOR/CHAIRPERSON

Gregory Martinez

PLANNING COMMISSION

CHAIRPERSON

Sylvia Masushige

VICE MAYOR/VICE CHAIRPERSON

Maria Davila

PLANNING COMMISSION

VICE CHAIRPERSON

Cecilia Miranda

CITY COUNCIL/COMMISSION MEMBERS

Bill De Witt

Gil Hurtado

Henry C. Gonzalez

PLANNING COMMISSION

MEMBER

Angel Colon

CITY MANAGER/EXECUTIVE DIRECTOR

Ronald Bates

PLANNING COMMISSION

MEMBER

Roberto Machuca

CITY ATTORNEY/LEGAL COUNSEL

Raul F. Salinas

PLANNING COMMISSION

MEMBER

Abe Torres

**DIRECTOR OF
COMMUNITY DEVELOPMENT**

Steve Lefever

CITY CLERK/RECORDING SECRETARY

Carmen Avalos

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

OPEN SESSION AGENDA

COMMENTS FROM THE AUDIENCE

During this time, members of the public and staff may address the Planning Commission, Community Development Commission, and City Council regarding any items within the subject matter jurisdiction of the Planning Commission, Community Development Commission, and 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 Planning Commission, Community Development Commission, and 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.

CONSENT CALENDAR ITEMS

Agenda Item 1 is a Consent Calendar Item. 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.

1. Community Development Commission and City Council Joint Public Meeting Minutes of March 23, 2010

The Community Development Commission and City Council will consider approving the Joint Public Meeting Minutes of March 23, 2010. (CLERK)

2. Report and recommendation of the Planning Commission of the City of South Gate concerning the Amended and Restated Redevelopment Plan for South Gate Redevelopment Project No. 1 in connection with Amendment No. 13 to South Gate Redevelopment Project No. 1 (Redevelopment Locations Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10) and such Plan's conformity to the City's General Plan 2035

The Planning Commission will consider:

- a. Adopting a Resolution of the Planning Commission finding the Proposed Amended and Restated Redevelopment Plan for the South Gate Redevelopment Project No. 1 conforms to the South Gate General Plan 2035, as amended; Recommending approval of the Amended and Restated Plan; and making other findings in connection therewith; and

b. Electing to alter the boundaries of the territory proposed to be added to the South Gate Redevelopment Project Area No. 1 to remove one or more parcels, take action on the proposed changed boundaries of the Amendment Area and Report, recommend and find that the proposed Amended and Restated Redevelopment Plan and the Proposed Amendment Area (with such revised boundaries as may be requested by the City Council and Commission) conform to the South Gate General Plan 2035, as amended, and recommend Adoption of Amendment No. 13, as revised.

3. The Community Development Commission and City Council Action Items Regarding Proposed Amendment No. 13 to the Redevelopment Plan for South Gate Redevelopment Project No. 1. Proceedings continued from March 23, 2010 Joint Meetings of the Commission and City Council, which proceedings were previously continued from November 24, 2009, and previously continued from May 12, 2009.

Proposed Amendment No. 13 to the Redevelopment Plan for the South Gate Redevelopment Project No. 1; Ordinance approving the Amended and Restated Redevelopment Plan for South Gate Redevelopment Project No. 1 (Redevelopment Locations Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10)

The Community Development Commission and the City Council will:


- a. Adopt a Resolution of the Community Development Commission affirming that the Commission now has no Power of Eminent Domain as to the Existing Project Area; Confirming that Amendment No. 13 Does Not Propose to and Will Not Add the Power of Eminent Domain by Such Proceedings;
- b. Adopt a Resolution of the Community Development Commission Approving the Amended and Restated Report to the City Council for the Proposed Plan Amendment No. 13 to Existing South Gate Redevelopment Project No. 1; Authorizing Transmittal to the City Council of the Amended and Restated Redevelopment Plan South Gate Redevelopment Project No. 1 (Redevelopment Location Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10) and the Amended and Restated Report to the City Council; and Authorizing Certain Other Transmittals and Actions;
- c. Reopen the Joint Public Hearing of the Community Development Commission and City Council only for the limited purpose of submitting into the evidentiary Record of proceedings for Amendment No. 13 certain supplemental reports and information prepared by Commission staff and receiving testimony for, against, or neutral only regarding such supplemental reports and information;
- d. Adopt a Resolution of the Community Development Commission finding that the provision of low- and moderate-income housing outside the boundaries of South Gate Redevelopment Project No. 1 will be of benefit to the Project;
- e. Adopt a Resolution of the City Council finding that the provision of low- and moderate-income housing outside the South Gate Redevelopment Project No. 1 will be of benefit to the Project;

f. Adopt a Resolution of the Community Development Commission Approving the Amended and Restated Redevelopment Plan; South Gate Redevelopment Project No. 1 (Redevelopment Locations Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10) and Recommending Adoption of such plan to the City Council; and

g. Waive the reading in full and introduce an Ordinance of the City Council Adopting Amendment No. 13 to the Redevelopment Plan for South Gate Redevelopment Project No. 1 and Making Other Findings in Connection Therewith.

4. Adjournment

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on June 3, 2010, at 6:25 p.m., as required by law.



Carmen Avalos, City Clerk

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AMENDED AND RESTATED REDEVELOPMENT PLAN
SOUTH GATE REDEVELOPMENT PROJECT NO. 1
(Redevelopment Location Nos. 1, 2, 3, 4, 5, 7, 8, 9 and 10)

PLAN AMENDMENT NO. 13

Agenda Binder

1. Agenda for the June 8, 2010 Joint Meeting of the City Council, Community Development Commission, and Planning Commission; and, Minutes March 23, 2010 Joint Public Meeting
2. Agenda Bill for the Joint Meeting of City Council, Commission, and Planning Commission of June 8, 2010; A Resolution of the Planning Commission of the City of South Gate Finding the Proposed Amended and Restated Redevelopment Plan for the South Gate Redevelopment Project No. 1 Conforms to the South Gate General Plan 2035, as Amended; Recommending Approval of the Amended and Restated Plan; and Making Other Findings in Connection Therewith
3. Agenda Bill of Joint Meeting of City Council, Community Development Commission, and Planning Commission
4. Resolution of the Community Development Commission of the City of South Gate Affirming that the CDC now has no Power of Eminent Domain as to the Existing Project Area; Confirming that Amendment No. 13 does not Propose to and will not add the Power of Eminent Domain by Such Proceedings; and Affirming the CDC's Opinion and Recommendation to Future CDC Members that the Power of Eminent Domain not be Added or Included for Project Area No. 1 in the Future
5. A Resolution of the Community Development Commission of the City of South Gate Approving the Amended and Restated Report to the City Council for the Proposed Plan Amendment No. 13 to Existing South Gate Redevelopment Project No 1; Authorizing Transmittal to the City Council of the Amended and Restated Redevelopment Plan South Gate Redevelopment Project No. 1 (Redevelopment Location Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10) and the Amended and Restated Report to the City Council; and Authorizing Certain Other Transmittals and Actions
6. Amended and Restated Report to Council for the Proposed Plan Amendment No. 13 to South Gate Redevelopment Project No. 1
7. Resolution of the Community Development Commission of the City of South Gate Finding that the Provision of Low- and Moderate-Income Housing Outside the South Gate Redevelopment Project No. 1 will be of Benefit to the Project

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Agenda Binder

8. Resolution of the City Council of the City of South Gate Finding that the Provision of Low- and Moderate-Income Housing Outside the South Gate Redevelopment Project No. 1 will be of Benefit to the Project
9. Resolution of the Community Development Commission of the City of South Gate Approving the Amended and Restated Redevelopment Plan; South Gate Redevelopment Project No. 1 (Redevelopment Locations Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10) and Recommending Adoption of Such Plan to the City Council
10. Ordinance of the City Council of the City of South Gate Adopting Amendment No. 13 to the Redevelopment Plan for South Gate Redevelopment Project No. 1 and Making Other Findings in Connection Therewith
11. Amended and Restated Redevelopment Plan for South Gate Redevelopment Project No. 1 (Redevelopment Locations Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10)
12. Response to Written Objections Regarding Proposed Amendment No. 13 to the Redevelopment Plan for South Gate Redevelopment Project No. 1

**MINUTES FOR THE JOINT MEETING OF THE
SOUTH GATE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION**

TUESDAY, MARCH 23, 2010

- CALL TO ORDER** The joint meeting of the South Gate City Council and Community Development Commission of the City of South Gate was called to order by Vice Mayor/Vice Chairman Martinez at 5:52 p.m.
- ROLL CALL** Sonia Guerrero, Recording Secretary
- PRESENT** Vice Mayor/Vice Chairman Gregory Martinez, Council Member/Commission Member Maria Davila and Council Member/Commission Member Gil Hurtado; City Manager/Executive Director Ronald Bates, City Attorney/Legal Counsel Raul F. Salinas and Director of Community Development Steve Lefever
- ABSENT** Mayor/Chairman Henry C. Gonzalez, Council Member/Commission Member William H. De Witt and Carmen Avalos, City Clerk/Recording Secretary
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REDEVELOPMENT The Commission adopted Resolution No. 2010-02-CDC entitled – A Resolution of the Community Development Commission certifying the Final Program Environmental Impact Report for the Proposed Amendment No. 13 to the Redevelopment Plan for the South Gate Redevelopment Project No. 1; making findings pursuant to the California Environmental Quality Act; adopting a Mitigation, Monitoring and Reporting Program; and adopting a Statement of Overriding Considerations, by motion of Council Member/ Commission Member Hurtado and seconded by Council Member/ Commission Member Davila; and
- (a) Adopting Resolution No. 7360 entitled – A Resolution of the City Council certifying the Final Program Environmental Impact Report for the Proposed Amendment No. 13 to the Redevelopment Plan for the South Gate Redevelopment Project No. 1; making findings pursuant to the California Environmental Quality Act; adopting a Mitigation, Monitoring and Reporting Program; and adopting a Statement of Overriding Considerations.
- ROLL CALL:** Vice Mayor/Vice Chairman Martinez, yes; Council Member/ Commission Member Davila, yes; Council Member/ Commission Member Hurtado, yes; Mayor/Chairman Gonzalez, absent; Council Member/Commission Member De Witt, absent.
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**COMMENTS FROM
THE AUDIENCE** None

ADJOURNMENT

Vice Mayor/Vice Chairman Martinez adjourned the Joint City Council and Community Development Commission meeting at 5:56 p.m. and seconded by Council Commission Member Davila.

PASSED and **APPROVED** this 8th day of June, 2010.

Gregory Martinez, Chairman

Steven A. Lefever, Secretary

City of South Gate

JOINT MEETING OF CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION

RECEIVED AND PLANNING COMMISSION

JUN 3 2010

AGENDA BILL

For the Meeting of: June 8, 2010

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

Originating Department: Community Development

Dept. Head: Steve Lefever  City Manager: Ronald Bates 

SUBJECT: REPORT AND RECOMMENDATION OF THE PLANNING COMMISSION CONCERNING THE AMENDED AND RESTATED REDEVELOPMENT PLAN FOR SOUTH GATE REDEVELOPMENT PROJECT NO.1 IN CONNECTION WITH AMENDMENT NO.13 TO SOUTH GATE REDEVELOPMENT PROJECT NO. 1 (REDEVELOPMENT LOCATIONS NOS. 1, 2, 3, 4, 5, 7, 8, 9, AND 10) AND SUCH PLAN'S CONFORMITY TO THE CITY'S GENERAL PLAN 2035

ACTIONS:

- a. Adopt a Resolution of the Planning Commission finding the Proposed Amended and Restated Redevelopment Plan for the South Gate Redevelopment Project No. 1 Conforms to the South Gate General Plan 2035, as amended; Recommending Approval of the Amended and Restated Plan; and making other findings in connection therewith; and
- b. Elect to alter the boundaries of the territory proposed to be added to the South Gate Redevelopment Project Area No. 1 to remove one or more parcels, that the Planning Commission Consider and Take Action on the Proposed Changed Boundaries of the Amendment Area and Report, Recommend and Find that the Proposed Amended and Restated Redevelopment Plan and the Proposed Amendment Area (with such revised boundaries as may be requested by the City Council and Commission) Conform to the South Gate General Plan 2035, as amended, and Recommend Adoption of Amendment No. 13, as revised.

REPORT SUMMARY: The objective of this report is to request the Planning Commission of the City of South Gate ("Planning Commission") (i) consider and adopt a Resolution (attached) finding the proposed Amended and Restated Redevelopment Plan for the South Gate Redevelopment Project No. 1 (Redevelopment Location Nos. 1, 2, 3, 4, 5, 7, 8, 9, and 10) ("Amended Plan") conforms to the City of South Gate General Plan 2035; and (ii) recommend approval of the Amended Plan; and (iii) authorize the transmittal of the Planning Commission's findings to the Community Development Commission of the City of South Gate ("Commission") and City Council of the City of South Gate ("City Council").

Since 2007 the Commission has undertaken proceedings related to the proposed Amendment No. 13 ("Amendment") to the existing Redevelopment Plan for the South Gate Redevelopment Project No. 1 ("Existing Plan") for the South Gate Redevelopment Project Area No. 1 ("Existing

Project Area”). The primary objective of the Amendment is to add territory (“Amendment Area”) to the Existing Project Area boundaries. (References to the “Project Area” shall include the Existing Project Area plus the Amendment Area.)

Section 33346 of the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.* (“CRL”), requires the Amended Plan to be submitted to the City’s Planning Commission for its report and recommendation concerning the proposed Amended Plan and its conformity to the City’s General Plan 2035; and, the Planning Commission may make a recommendation regarding approval of the Amended Plan to the Commission and City Council. Consideration and action by the Planning Commission occurs prior to the submittal of the Amended Plan to the City Council. In the event the planning commission does not report upon a plan within 30 days after its submission by the Commission, the Planning Commission is deemed to have waived its report and recommendations concerning such plan and the Commission may thereafter approve the Amended Plan, as proposed to be amended. While the Planning Commission adopted a previous resolution making its report, recommendation and finding of conformity related to the City’s prior General Plan, due to the adoption of the updated General Plan 2035 on December 10, 2009, the Planning Commission is making a supplemental report, recommendation and finding of conformity regarding the Amended Plan and its conformity to General Plan 2035.

Included with this report is the draft Amended Plan. The relevant sections of the Amended Plan pertaining to permitted land uses and land use policy and controls within the Project Area are Sections VI and VII.

Status of the City’s General Plan 2035

The City of South Gate’s General Plan was originally approved and adopted by the City Council on November 24, 1986 (“1986 General Plan”). Subsequently, on December 8, 2009, the City adopted the General Plan 2035 (“General Plan 2035”) pending the adoption of the Housing element of the plan which is anticipated will be adopted on June 8, 2010, prior to the Planning Commission’s consideration of the resolution proposed in this memorandum. General Plan 2035 is a comprehensive update of the 1986 General Plan, and supersedes the 1986 General Plan in its entirety. General Plan 2035 contains all elements required pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 (“Article 5”) of the California Government Code (“Government Code”). The goals, objectives, policies, and implementation actions contained in General Plan 2035 are provided to guide future growth and decisions in the City.

General Plan 2035 is comprised of the following mandatory and optional elements:

- Community Design
- Mobility
- Economic
- Green City (includes Open Space and Conservation)
- Healthy Community/Public Health (includes Safety)
- Public Facilities and Services
- Housing
- Noise

Analysis:

According to the State guidelines (“Guidelines”) published by the Office of Planning and Research, most jurisdictions select 15 to 25 years as the long-term horizon for their general plans. The horizon does not mark an end point, but provides a general context in which to make shorter-term decisions; local jurisdictions may choose time horizons which serve their particular needs. The Guidelines state the general plan should be reviewed regularly regardless of its horizon, and revised as new information becomes available and as community needs and values change. While the Government Code limits the number of times a General Plan may be amended, it does not stipulate a mandatory time schedule for comprehensive updates, with the exception of the Housing Element.

Relationship of General Plan to Redevelopment Plan Adoptions and Plan Amendments

Section 33331 of the CRL requires a city’s redevelopment plan be consistent with its general plan; consistency is not defined in the CRL. It is noted while the Guidelines speak to “internal consistency” of a general plan’s various elements and consistency with “area plans” and “community plans,” which are planning policy documents that are a part of a General Plan, and consistency with “specific plans,” which are used as tools to implement general plans, the Guidelines are silent as to general plan consistency with non-constituent plans such as redevelopment plans.

According to the Guidelines, “[i]nternal consistency” means that general plan text and diagrams must be consistent with one another, since both are integral parts of the plan.” If we apply the same meaning to the Amended Plan, then it can be found to be consistent with General Plan 2035 because the Amended Plan incorporates the City’s General Plan 2035 land use map. Similarly, according to the Guidelines, “[i]nternal consistency also means principals, goals, objectives, policies and plan proposals set forth in an area plan must be consistent with the overall general plan.” The Amended Plan can be found to be consistent with General Plan 2035 because Section VI.A. of the Amended Plan states: “[a]ll property within the Project Area shall be used for uses consistent with the designation for such property contained in General Plan 2035, as it may be amended from time to time” and “all development or other construction or Rehabilitation within the Project Area shall conform to the zoning and other land use requirements set forth in General Plan 2035 and in the Municipal Code as are in effect at the time of such development, construction or Rehabilitation.”

The Amended Plan is consistent with General Plan 2035 because the land use designations within the Amended Plan automatically track now and will track prospectively the land use designations in General Plan 2035.

ATTACHMENTS: Proposed Resolution of the Planning Commission Finding the Proposed Amended and Restated Redevelopment Plan for the South Gate Redevelopment Project No. 1 Conforms to the South Gate General Plan 2035, as amended; Recommending Approval of the Amended and Restated Plan; and Making Other Findings in Connection Therewith

RESOLUTION NO. _____

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SOUTH GATE FINDING THE PROPOSED
AMENDED AND RESTATED REDEVELOPMENT PLAN
FOR THE SOUTH GATE REDEVELOPMENT PROJECT
NO. 1 CONFORMS TO THE SOUTH GATE GENERAL
PLAN 2035, AS AMENDED; RECOMMENDING
APPROVAL OF THE AMENDED AND RESTATED PLAN;
AND MAKING OTHER FINDINGS IN CONNECTION
THEREWITH**

WHEREAS, pursuant to the Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.* (“CRL”), the Community Development Commission of the City of South Gate (“Commission”) has undertaken proceedings related to the proposed Amendment No. 13 (“Amendment”) to the existing redevelopment plan (“Existing Plan”) for the South Gate Redevelopment Project Area No. 1 (“Existing Project Area”); and

WHEREAS, the primary objective of the Amendment is to add territory (“Amendment Area”) to the Existing Project Area boundaries; and

WHEREAS, references to the “Project Area” shall include the Existing Project Area plus the Amendment Area; and

WHEREAS, on February 19, 2008, the Planning Commission of the City of South Gate (“Planning Commission”) by resolution approved a Preliminary Plan for the Amendment, which Preliminary Plan included a map designating the preliminary boundaries of the Amendment Area; and

WHEREAS, on June 10, 2008, by Resolution No. 2008-03 the Commission approved the Preliminary Plan and the preliminary boundaries of the Amendment Area as proposed by the Planning Commission, which Preliminary Plan, including a map of the preliminary boundaries of the Amendment Area, is on file in the office of the Commission Secretary; and

WHEREAS, CRL Section 33346 requires before a redevelopment plan, including an amendment to a plan, is submitted to a city council by an agency, it shall be submitted to the city’s planning commission for its report and recommendation concerning the plan’s conformity to the general plan of the city and pursuant to such review may recommend to the agency for or against the approval of the plan; and

WHEREAS, on December 8, 2009, the City Council adopted the General Plan 2035 (“General Plan 2035”), which is a comprehensive update of the previous general plan, and which supersedes all previous plans in their entirety; and