

SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, June 8, 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. Open and continue consideration of an Ordinance: Amending Title 5 by adding Chapter 5.09 establishing illegal dumping regulations**

The City Council will conduct a Public Hearing and continue consideration of introducing an Ordinance amending Title 5 (Streets and Sidewalks) of the South Gate Municipal Code by adding Chapter 5.09 to establish the Illegal Dumping regulations to the City Council Meeting of July 27, 2010. (PW)

2. Resolution: Receiving and approving the 2010-2015 Analysis of Impediments to Fair Housing Choice

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

- a) Adopting a **Resolution** _____ receiving and approving the 2010-2015 Analysis of Impediments to Fair Housing Choice; and
- b) Authorizing the execution of all documents necessary by the Mayor to facilitate carrying out the activities listed in the Analysis of Impediments in a form acceptable to the City Attorney.

3. Fiscal Year 2010-11 Municipal Budget: a) presentation; b) Resolution: Annual Appropriations Limit for FY 2010-11; c) Resolution: New schedule of fee for service; d) Resolution: Updating fines for parking violations; e) Layoff summary

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

- a) Approving the fiscal year 2010-2011 budget subject to any fiscal changes authorized by the City Council including, but not limited to, the personnel actions outlined in the attached Position Reconciliation Sheet;
- b) Adopting a **Resolution** _____ approving the annual appropriations limit for the fiscal year 2010-11;
- c) Adopting a **Resolution** _____ establishing a new schedule of fees for services and rescinding Resolution No. 7313;
- d) Adopting a **Resolution** _____ updating fines for parking violations;
- e) Approving layoff of employees effective June 30, 2010 listed in the attached Layoff Summary.

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 4, 5 and 6 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.

4. Resolution: Authorizing the agreement with the Franchise Tax Board for the Local Government Sharing Program

The City Council will consider adopting a **Resolution** ____ authorizing the Mayor to execute the agreement (Contract ____) between the City of South Gate and Franchise Tax Board for the Local Government Sharing Program, in a form acceptable to the City Attorney. (FIN)

5. Resolution: Disability retirement for a Police Officer

The City Council will consider: (ADMIN/PERS)

- a) Adopting a **Resolution** ____ determining that Lawrence Boksa 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 Lawrence Boksa, Police Officer.

6. Agreement with Golden State Water Company to lease 2500 acre feet of city water rights

The City Council will consider: (PW)

- a) Approving a lease Agreement (Contract ____) with Golden State Water Company to lease 2,500 acre feet of City water rights; and
- b) Authorizing the Mayor to execute the Agreement in a form approved by the City Attorney.

7. Warrant Register for June 8, 2010

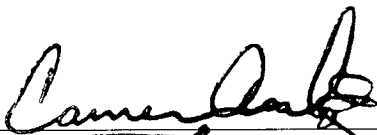
The City Council will consider approving the Warrants and Cancellations for June 8, 2010. (FIN)

Total of Checks:	\$2,399,648.21
Voids	\$ 1,503.63
Total of Payroll Deductions:	<u>\$ <100,263.39></u>
Grand Total:	\$2,297,881.19

Cancellations: 28350, 28486

8. 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 7:00 p.m., as required by law.


Carmen Avalos, City Clerk

RECEIVED

City of South Gate

Item No. 1

CITY COUNCIL

JUN 3 2010

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

AGENDA BILL

For the Regular Meeting of: June 8, 2010

Originating Department: Public Works

Department Head:

Robert T. Dickey
Robert T. Dickey

City Manager:

Ronald Bates
Ronald Bates

SUBJECT: INTRODUCE AN ORDINANCE ESTABLISHING ILLEGAL DUMPING REGULATIONS

ACTION: Open up the Public Hearing and continue consideration of introducing an Ordinance amending Title 5 (Streets and Sidewalks) of the South Gate Municipal Code by adding Chapter 5.09 to establish the Illegal Dumping regulations to the City Council Meeting of July 27, 2010.

FISCAL IMPACT: The Ordinance provides for fees which are under review by staff. *e 7:7*

NOTICING PROCEDURES: A Public Hearing Notice was duly published in *The Press*, a newspaper of general circulation, on May 27, 2010.

REPORT SUMMARY: The City of South Gate has a significant and increasing problem with illegal dumping. The problem is greater than our capacity to handle. For the past three years, the City has spent approximately \$200,000 per year and almost 3,000 staff hours to just keep pace with illegal dumping. Illegal dumping has created a deficit in the Refuse Fund requiring year end transfer of General Funds to balance the account. Today, we do not have funds to balance this account. As a consequence, an application was made to the California Integrated Waste Management Board (CIWMB), known as Cal Recycle and the City received a \$500,000 illegal dumping grant in November 2009.

Additional revisions are being made to the proposed ordinance. To avoid the cost of republishing the notice, staff requests this matter be continued to July 27, 2010.

The proposed ordinance will recite provisions of State Law and provide for citations to be issued to violators. Warnings will be given to offenders and citations will be issued the following day for failure to remove items from the public right-of-way. A provision has been included authorizing the Police Department to arrest offenders and impound vehicles used for illegal dumping. Eighty percent of illegal dumping occurs at multi-family dwelling units, commercial, and industrial properties. The proposed Ordinance will provide for fees to be established by resolution.

ATTACHMENTS: A. Notice of Public Hearing

RD/MM:lc

CITY OF SOUTH GATE
NOTICE OF PUBLIC HEARING

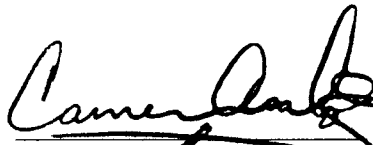
Office of the
South Gate City Clerk
MAY 20 2010
FILED

NOTICE IS HEREBY GIVEN that the City Council of South Gate, California will conduct a public hearing for the purpose of the introducing an Ordinance establishing regulations pertaining to citywide illegal dumping. A copy of the Ordinance may be reviewed at the City Clerk's office during normal business hours.

DATE: June 8, 2010
TIME: 6:30 p.m.
LOCATION: COUNCIL CHAMBERS
SOUTH GATE CITY HALL
8650 CALIFORNIA AVENUE
SOUTH GATE, CA 90280

NOTICE IS HEREBY GIVEN that any and all persons interested in the matter hereinabove set forth are privileged to attend said hearing and then there testify or present evidence upon any matter relating thereto.

NOTICE IS HEREBY GIVEN by order of the City Clerk of said City and is dated May 20, 2010.


Carmen Avalos, City Clerk

Publication date: Thursday, May 27, 2010

Account Number: 100-701-31-6302

City of South Gate

Item No. 2

RECEIVED

CITY COUNCIL

JUN 3 2010

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the regular meeting of June 8, 2010

Originating Department: Community Development

Department Head:

William Lefever for
Steve Lefever

City Manager:

Ronald Bates
Ronald Bates

SUBJECT: RESOLUTION RECEIVING AND APPROVING THE 2010-2015 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

ACTION: Following the conclusion of the Public Hearing:

- a) Adopt a Resolution receiving and approving the 2010 – 2015 Analysis of Impediments to Fair Housing Choice; and
- b) Authorize the execution of all documents necessary by the Mayor to facilitate carrying out the activities listed in the Analysis of Impediments in a form acceptable to the City Attorney.

FISCAL IMPACT: There will be no impact to the General Fund. ✓✓

NOTICING REQUIREMENTS:

- a) A Legal Notice was posted on April 29, 2010.
- b) A Legal Notice was published on April 29, 2010.
- c) A Legal Notice was not required to be mailed to the general public.

REPORT SUMMARY: The Department of Housing and Urban Development (HUD) requires “actions to affirmatively further fair housing” of all jurisdictions that receive federal grant funds. The Analysis of Impediments identifies impediments to fair and equal housing opportunities for South Gate residents. HUD defines an impediment as “...any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restricts housing choices of these classes.” However, it is not enough to merely identify impediments. HUD requires that jurisdictions carry out actions to overcome the effects of identified impediments and to maintain documentation of those actions.

The Analysis of Impediments contains an Executive Summary, a Demographic Profile of South Gate, an Evaluation of Current Fair Housing Profile for South Gate, Rental Audit Testing information, Mortgage Lending Practices, and a Review of Government Policies and Programs. In addition, the Analysis of Impediments contains a City Locational map, a Racial/Ethnic Population map, a Transit Accessibility to Community Facilities and Affordable Housing Sites map, a Transit Accessibility to Major Employment Centers map, and a City of South Gate Boundary map.

The Analysis of Impediments was advertised for the required public review and comment period beginning on April 29, 2010 through May 29, 2010 in the Los Angeles WAVE.

ATTACHMENT(S):

- 1) Proposed Resolution
- 2) Notice of Public Hearing
- 3) Proposed Analysis of Impediments

RESOLUTION NO. _____

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE
RECEIVING AND APPROVING THE 2010 -2015 ANALYSIS OF IMPEDIMENTS TO
FAIR HOUSING CHOICE**

WHEREAS, the City of South Gate is required by the U.S. Department of Housing and Urban Development (HUD) to prepare an Analysis of Impediments to Fair Housing Choice (Analysis of Impediments) on a five-year cycle; and

WHEREAS, the City of South Gate has prepared its Analysis of Impediments for the 2010 – 2015 five-year cycle; and

WHEREAS, a draft copy of the Analysis of Impediments was made available for public review and comment beginning April 29, 2010 and ending May 29, 2010 at the City Clerk's Office and Community Development Department of City Hall; at the Chamber of Commerce Office and at the two County Public Libraries for the required public review period; and

WHEREAS, the City of South Gate published a Notice of Public Hearing on April 29, 2010 in the Los Angeles WAVE setting the matter for public comment and City Council consideration for June 8, 2010; and

WHEREAS, on June 8, 2010, the City of South Gate held a duly noticed public hearing and received final public comment on the Analysis of Impediments;

[remainder of page left blank intentionally]

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

SECTION 1. The City Council has reviewed and hereby receives and approves the Analysis of Impediments to Fair Housing Choice.

SECTION 2. The Mayor of the City of South Gate is authorized to execute all documents necessary and/or desirable to facilitate carrying out the activities listed in the Analysis of Impediments.

PASSED, APPROVED AND ADOPTED this 8th day of June, 2010


CITY OF SOUTH GATE

Gregory Martinez, Mayor

ATTEST

Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

**CITY OF SOUTH GATE
NOTICE OF AVAILABILITY AND NOTICE OF
PUBLIC HEARING ON
THE ANALYSIS OF IMPEDIMENTS TO FAIR
HOUSING CHOICE**

NOTICE IS HEREBY GIVEN that the City of South Gate, California has prepared its Analysis of Impediments (AI) to Fair Housing Choice covering the 2010 - 2015 Consolidated Plan cycle. The Analysis focuses on actions, omissions and decisions made because of race, color, religion, sex, disability, familial status or national origin which restrict, or have the affect of restricting housing choices or the availability of housing choices in the City of South Gate.

The Analysis of Impediments will be available for a thirty (30) day Public Review and Comment Period from **April 29, 2010 to May 29, 2010** at the Community Development Department and the City Clerk's Office in the South Gate City Hall location at 8650 California Avenue; the Chamber of Commerce, 3350 Tweedy Boulevard; and the local Library Branch, Leland Weaver Library, 4035 Tweedy Boulevard.

NOTICE IS FURTHER GIVEN that a Public Hearing will be held as follows:

DATE OF HEARING: Tuesday, June 8, 2010

TIME: 6:30 PM

PLACE: City Hall Council Chambers, 8650 California Avenue, South Gate, CA 90280

All interested persons or groups are invited to the Public Hearing. The City Council will receive public comments on the Analysis of Impediments. Comments may also be submitted in writing prior to the public hearing by mailing comments to Vivian M. Garcia, Housing Administrator for the Community Development Department, located at 8650 California Avenue, South Gate, California 90280.

ESPAÑOL

Información en Español acerca de esta junta puede ser obtenida llamando al (323) 563-9592 /s/ Vivian M. Garcia, Housing Administrator /s/ Carmen Avatos, City Clerk

4/29/10

PRE-1847670#

SOUTH GATE PRESS

Final Report

March 2010

Analysis of Impediments to Fair Housing Choice (AI)

Prepared for

City of South Gate
8650 California Ave.
South Gate, CA 90280

Prepared by

JWA Urban Consultants, Inc.
609 Deep Valley Dr., Suite 200
Rolling Hills Estates, CA 90274

Table of Contents

EXECUTIVE SUMMARY	4
Purpose of Analysis	4
Data Sources and Methodology	4
Key Recommendations and Findings	5
DEMOGRAPHIC PROFILE OF SOUTH GATE	10
Population Growth	10
Age Characteristics	11
Racial and Ethnic Composition	11
Income	12
Poverty Rates	13
Employment	14
Housing Characteristics	15
Assisted Affordable Housing	22
Public Transit	24
EVALUATION OF CURRENT FAIR HOUSING PROFILE FOR SOUTH GATE	25
Client Demographic Profile	26
Summary of Housing Discrimination Complaints	29
Requests for Assistance with General Housing Concerns	29
Fair Housing Outreach & Education	30
RENTAL AUDIT TESTING IN SOUTH GATE	34
Purpose of Audit	34
Audit Methodology	35
Audit Results and Conclusion	36
MORTGAGE LENDING PRACTICES	37
Community Reinvestment Act (CRA)	37
Home Mortgage Disclosure Act	38
Top Lenders in the City	38
Conventional Financing	39
Government-Insured Financing	43
Refinancing	44
Predatory and Sub-Prime Lending	45
Home Improvement Loans	46
Home Loan Application Decline Reasons	47
Interest Rates and Credit Scores	47
REVIEW OF GOVERNMENT POLICIES AND PROGRAMS	48
Direct Conflicts	49
Other Relevant Considerations	51

SIGNATURE PAGE	52
EXHIBIT A: MAPS	53
Figure 1: City Locational Map	53
Figures 2, 3, 4, and 5: Racial/Ethnic Population Map	54
Figures 6 and 7: Transit Routes with Low/Mod Area and Community Facilities and Affordable Housing Site	55
EXHIBIT B: MTA ROUTES	56
EXHIBIT C: RENTAL AUDIT RESULTS	58
Table 1: Familial Status Audits	58
Table 2: Disability Audits	59

I. EXECUTIVE SUMMARY

A. Purpose of Analysis

The Department of Housing and Urban Development (HUD) requires “actions to affirmatively further fair housing” of all jurisdictions that receive funds through the Consolidated Submission. In order to receive federal grant funds for housing and community development, the City of South Gate is required to prepare a Consolidated Plan pursuant to 24 CFR 570.904 (c). The Consolidated Plan describes the needs, resources, strategies, priorities, and proposed actions. It also includes an annual certification by the City that it is currently carrying out actions towards Affirmatively Furthering Fair Housing (AFFH). The purpose of these actions is to eliminate discrimination and segregation in housing on the basis of race, color, religion, sex, age, disability, familial status, or national origin, and to expand housing choices for all South Gate residents. HUD requires each city to certify that it “will engage in fair housing planning by:

- Conducting an analysis of impediments to fair housing choice at the beginning of each five-year cycle;
- Carrying out actions to overcome the effects of identified impediments;
- Maintaining records and making available information and reports, including the analysis of impediments, and to document actions undertaken to eliminate identified impediments.”

The purpose of this report is to identify impediments to fair and equal housing opportunities. HUD defines an impediment as “ ... any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin that restricts housing choices or the availability of housing choices of these classes.”

HUD defines fair housing as, “... a condition in which individuals of similar income levels in the same housing market have a like range of choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor.” HUD draws an important distinction between household income, housing affordability and fair housing. Economic factors that impact housing choice are not fair housing issues per se. Only when the relationship between household incomes combined with other factors – such as household type or race/ethnicity – creates misconceptions and biases do they become a fair housing issue. Tenant/landlord disputes are also not typically fair housing issues, generally resulting from inadequate understanding by the parties on the rights and responsibilities. Such disputes only become fair housing issues when they are based on factors protected by fair housing laws and result in differential treatment.

B. Data Sources and Methodology

The report that follows is the result of a comprehensive review of policies, procedures, and practices within the City of South Gate that affect or may affect the location,

availability, and accessibility of housing and current residential conditions related to fair housing choice. HUD encourages the use of i) relevant demographic information and data; ii) authoritative studies of housing discrimination, lending, and other fair housing issues; iii) methods for obtaining diverse citizen participation in the development, implementation, and evaluation of fair housing planning; and iv) corrective actions and solutions. Accordingly, the report is primarily based on the following sources of information:

- South Gate Census Data
- South Gate Zoning Code
- South Gate Consolidated Plan 2005-2010
- South Gate General Plan and Housing Element
- Home Mortgage Disclosure Act (HMDA)
- Housing Discrimination Study (HDS)
- Rental Housing Complaint Data
- Rental Discrimination Audits

C. Key Findings and Recommendations

It is important to note that carrying out this analysis alone is not considered to constitute fair housing action in and of itself. Actions should be undertaken to address the impediments identified in the report herein. The following key findings and recommendations are prioritized in order to help the City of South Gate continue its efforts to reduce and eliminate barriers to fair housing choice.

This Analysis of Impediments Study analyzed census data, fair housing complaints, audit tests and surveys to identify barriers to fair housing choice in the City of South Gate. This section provides a list of key potential impediments that may exist in South Gate and recommendations to address them. For each recommendation, please refer also to the particular chapter that led to the recommendations.

Current Fair Housing Profile

1. Housing Complaints from the Hispanic Population (See Section III)

According to the 2000 Census, the Hispanic population made up 92 percent of the City of South Gate population and approximately 89 percent of South Gate residents assisted by Long Beach Fair Housing Foundation (FHF) over the past four years were Hispanic. FHF currently disseminates fair housing information in English and Spanish as part of its fair housing outreach activities. In order to ensure that fair housing information is reaching the South Gate Hispanic population, the City and FHF may consider additional public outreach as recommended below: