

**CITY OF SOUTH GATE  
REGULAR CITY COUNCIL MEETING  
MINUTES  
TUESDAY, MAY 9, 2006**

**CALL TO ORDER** Mayor Maria Davila called a Regular Meeting of the City Council to order at 6:39 p.m.

**INVOCATION** Father John Provenza, St. Helen Church led the Invocation.

**PLEDGE OF ALLEGIANCE** Cindy Esquivel, South Gate Resident led the Pledge of Allegiance.

**ROLL CALL** Carmen Avalos, City Clerk

**PRESENT** Mayor Maria Davila, Vice Mayor Bill De Witt, Council Member Henry C. Gonzalez and Council Member Gil Hurtado; City Manager Gary Milliman and City Attorney Raul F. Salinas

**LATE** Council Member Gregory Martinez arrived at the dais at 7:07 p.m.

**ABSENT** City Treasurer Rudy Navarro

**1  
PROCLAMATION** The City Council issued a Proclamation declaring the week of May 14 – 20, 2006, as National Police week.

**2  
PROCLAMATION** The City Council issued a Proclamation declaring the week of May 21-27 as “National Public Works Week.”

**3  
LICENSES & PERMITS** The City Council conducted a continued public hearing, waived the reading and introduced (as amended) Ordinance No. 2211 – An Ordinance of the City Council of the City of South Gate granting to Golden State Water Company, its successors and assigns, a franchise to use, or to lay and use pipes and appurtenances for transmitting and distributing water for any and all purposes in, under, along, across or upon the public streets, ways, alleys and places, as the same now or may hereafter exist, within the City of South Gate, by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt. Council Member Martinez was absent.

**AMENDMENT: SECTION 3. TERM OF FRANCHISE**

This franchise shall be for ten (10) years from March 26, 2006 through March 26, 2016, subject to a five (5) year review and approval by the City Council on or before March 26, 2011, and if denied an extension, a new application for franchise shall be required; or until such earlier time that: (a) with the consent of the Public Utilities Commission of the State of California, it is voluntarily surrendered or abandoned by the Grantee; or

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### 3 LICENSES & PERMITS CONTINUED

(b) the State of California or some municipal or public corporation thereunto duly authorized by law shall purchase by voluntary agreement, or shall condemn and take under the power of eminent domain, all property actually used and useful in the exercise of this franchise, and situated within the territorial limits of the public entity purchasing or condemning such property; or (c) this franchise is forfeited for noncompliance by the Grantee with its terms and provisions.

### 4 COMMUNITY DEV/ HOUSING

The City Council conducted a public hearing and adopted Resolution No. 7107 – A Resolution of the City Council of the City of South Gate receiving and approving the fiscal year 2006/2007 Consolidated Annual Action Plan Update and authorizing the execution of all necessary documents for the submittal of said plan to the U.S. Department of Housing and Urban Development, by motion of Vice Mayor De Witt and seconded by Council Member Hurtado. Council Member Martinez was absent; and

- a) Authorized the appropriate personnel to execute the necessary documents for submittal to HUD.

### COMMENTS PERTAINING TO NON-AGENDA ITEMS

Araceli Dominguez commented on the lack of code enforcement personnel. She also commented on May 1, 2006 “A Day With Out Immigrants” and her disappointment with Council Member Martinez.

Council Member Martinez responded to Mrs. Dominguez’s comments that he made the motion to not support HR447.

Cindy Esquivel thanked everyone who attended the JAA festival.

Council Member Gonzalez responded to Mrs. Dominguez that due to the lack of funds the City is unable to hire code enforcement personnel.

Lolita Brown Fletcher, Personnel Director invited Council to the employee breakfast scheduled for May 18<sup>th</sup>.

Robert Todd, Chief of Police thanked Mayor Davila and Vice Mayor De Witt for attending the Memorial Service last week. He also invited everyone to attend the open house next Thursday.

Robert Dickey, Public Works Director thanked Council for recognizing Public Works Department. The employees are doing an out standing job. He also reported that the American Flag was stolen from the Hawkins Reservoir by persons unknown.

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### COMMENTS PERTAINING TO NON-AGENDA ITEMS

#### CONTINUED

Steve Lefever, Community Development Director advised Council that the City, Los Angeles Community College District and representatives of East Los Angeles College met last week to begin discussion of the planning for the new college project at Santa Fe and Firestone Boulevard.

Council Member Gonzalez took a tour showing all the projects within the community.

Council Member De Witt enjoyed JAA's 50<sup>th</sup> Anniversary festival. He mentioned that last Thursday night he attended the League of California Cities Los Angeles Division meeting and had a presentation by the telephone companies in California and cable industry in regards to a legislation pending in the state legislature to allow the telephone companies provide video and other services on their lines to service communities.

Mayor Davila thanked all the volunteers and Public Works Department that participated in the "El Dia Del Niño" on April 30<sup>th</sup>. She also thanked staff for participating at the "National Prayer Day" and JAA for inviting Council to their 50<sup>th</sup> Anniversary festival.

### REPORTS AND COMMENTS FROM CITY COUNCIL

#### MEMBERS

Council Member Hurtado attended the Gateways Cities Council of Governments meeting and had several presentations on widening the I-710 and modern technologies.

#### CONSENT CALENDAR

Agenda Items 5, 6, 7 and 8 were unanimously approved during consideration of the Consent Calendar by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt.

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#### COURT HOUSES

The City Council unanimously adopted Resolution No. 7108 – A Resolution of the City of South Gate City Council authorizing the execution, delivery and performance of a site lease, and a lease agreement with respect to the acquisition and financing of the courthouse building located at 8640 California Avenue for the public benefit; authorizing and approving the execution and delivery of documents required in connection therewith; and authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution, during consideration of the Consent Calendar.

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#### TRAFFIC SIGNAL/ SIGN ADMIN

The City Council unanimously approved plans, specifications, and Notice Inviting Bids for the Safe Route to School, Cycles I and II, City Project No. 289-ARC, during consideration of the Consent Calendar; and

a) Directed the City Clerk to publish the Notice Inviting Bids.

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### PARKS

The City Council unanimously approved plans, specifications, and Notice Inviting Bids for the Westside Resource Center Rehabilitation Project – City Project No. 351-ARC, during consideration of the Consent Calendar; and

- a) Directed the City Clerk to publish the Notice Inviting Bids.

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### MINUTES

The City Council unanimously approved the Minutes for the Regular Meeting of April 11, 2006, April 25, 2006 and the Special Meeting of April 18, 2006, during consideration of the Consent Calendar.

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### PARKING & TRAFFIC

The City Council unanimously adopted (as amended) Resolution No. 7109 – A Resolution of the South Gate City Council establishing preferential parking district on Bowman Avenue between Firestone Boulevard and Southern Avenue, and adopting rules and regulations for the operation of such district, by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt.

#### AMENDMENT:

**SECTION 2.** Designation of District. The following street segment shall be designated as Bowman Avenue Preferential Parking District:

- A. Bowman Avenue between the alley south of Firestone Boulevard and Southern Avenue

**SECTION 5.** Number of Permits. Not more than two (2) permits shall be issued to residents within any qualified dwelling unit. Applicants requesting more than one (1) permit for any dwelling unit may be granted an additional permit by the Chief of Police upon a showing that there is insufficient off-street parking space available to the applicants during the hours that preferential parking restrictions are in effect.

**SECTION 7.** Visitor Permits. Any resident eligible for a preferential parking permit may also apply to the Chief of Police for a visitor permit for use by visitors to the residence of the applicant. No more than two visitor preferential parking permits shall be issued for any one dwelling at any time. Visitor preferential parking permits shall be valid for a period of not more than 14 calendar days, and may not be renewed for a period of six months.

### RECESS

City Council recessed at 9:00 p.m., and reconvened at 9:15 p.m., with all Members of Council present.

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### COMMERCIAL ASSESSMENT

#### DISTRICTS

The City Council unanimously approved an agreement (Contract No. 2292) - with Darlene Rios Drapkin (dba Urban Transformation) for a Main Street Program assessment of Tweedy Boulevard, by motion of Council Member Hurtado and seconded by Vice Mayor De Witt.

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### ART/MUSEUM/AUDITORIUM

#### FACILITIES/PROGRAMS

The City Council unanimously approved the proposed scope of work for redevelopment of the civic center/courthouse complex, by motion of Council Member Hurtado and seconded by Council Member Gonzalez; and

- a) Authorized the City Manager to enter into an agreement (Contract No. 2293) - with JCA Resources Inc., for needs assessment and feasibility study for the redevelopment as approved by the City Attorney.

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### SCHOOLS/EDUCATION

The City Council unanimously appointed a City Council Member to represent and participate in meetings to create a Joint Powers Authority for municipal governance of LAUSD schools in the cities of Bell, Cudahy, Huntington Park, Maywood and South Gate, by motion of Council Member Hurtado and seconded by Vice Mayor De Witt; and

- a) Approved the allocation of \$7,000 as the City's share for legal costs associated with the formation of the Joint Powers Authority; and
- b) Authorized the City of South Gate to serve as lead agency in retaining/providing interim administrative and legal services during the formation of the Joint Powers Authority.

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### SCHOOLS/EDUCATION

The City Council unanimously authorized the Mayor to execute a letter requesting the Joint Legislative Audit Committee to conduct an audit of the Los Angeles Unified School District, by motion of Council Member Martinez and seconded by Council Member Hurtado.

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### WARRANTS & CANCELLATIONS

The City Council unanimously approved the Warrants and Cancellations for May 9, 2006, with the exception of Warrant No. 127523 by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt.

Total of Checks: \$ 779,353.36  
Total of Payroll Deductions: \$ <-115,319.48>  
Total of Net City Expenses: \$ 664,033.88

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### 14 WARRANTS &

CANCELLATIONS CONT'D Cancellations: 125908, 126746, 126821, 126835, 126902, 127052, 127053, 127102, 127257, 127258

Council Member Gonzalez motioned to approve Warrant No. 127523 and seconded by Mayor Davila.

**ROLL CALL:** Mayor Davila, yes; Vice Mayor De Witt, yes; Council Member Gonzalez, yes; Council Member Hurtado, yes; Council Member Martinez, abstained.

### 15 CITY COUNCIL

Gary Milliman, City Manager announced that on June 10, 2006 the Emergency Preparedness Commission for the county cities of Los Angeles is sponsoring a special seminar for elective officials in the City of Industry. It's a half day seminar on the new National Emergency Management System. It's a four hour work shop and it satisfies the executive training requirement that was imposed by the federal government on all city council members.

He also reported that a major portion of the intersection of Garfield and Firestone Boulevard which is scheduled for repavement may be delayed for a year. The City recently completed the south portion of the intersection; however the other three intersections were scheduled to be constructed by the County of Los Angeles. The County is in a situation where the cost of the project exceeds the amount of money they have available.

He further reported that the Rio Hondo Bridge widening project did not show up on the Southern California Association of Governments' list of approved projects, even though Caltrans allocated the money and MTA approved the project. It will take 60 to 90 days to fix the problem and get it on the list.

City Manager announced that the City is having discussions with the representative from the Los Angeles County Fire Museum. It came to the City's attention about a week and half ago that a couple of cities are lobbying to move the Los Angeles County Fire Museum from South Gate to either Bellflower or Lakewood.

City Manager reminded Council that he will be out of town from May 19 – 28<sup>th</sup> and on May 20<sup>th</sup> will be participating in a panel discussion at the California Contract Cities Authority Meeting in Palm Springs. The topic will be "Corruption in Local Government".

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**CLOSED SESSION**

The City Council recessed into Closed Session at 10:39 p.m., and reconvened at 11:03 p.m., with all Members of Council present. City Attorney Salinas reported the following:

1. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION  
Pursuant to Government Code Section 54956.9(a)
  - a. City of South Gate v. GWS
  - b. Mark Van Holt v. City of South Gate

On item 1(a), the City Council on a motion made by Vice Mayor De Witt and seconded by Council Member Gonzalez and on a vote of 5-0, voted to approve a settlement range within which to resolve that litigation. The amount of the settlement range will not be disclosed at this time pursuant to the Brown Act because the parties are still in negotiations and to disclose it at this time will be undermined our settlement position. If the case settles the fact of settlement will be disclosed in the future in accordance to the Brown Act.

There was no reportable action taken on item 1(b).

**ADJOURNMENT**

Mayor Davila unanimously adjourned the meeting at 11:04 p.m., in Memory of Chi Mui, Mayor of the City of San Gabriel, and seconded by Council Member Gonzalez.

**PASSED** and **APPROVED** this 13<sup>th</sup> day of June, 2006.

ATTEST:

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Maria Davila, Mayor

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Carmen Avalos, City Clerk