

REVISED

**SOUTH GATE CITY COUNCIL
REGULAR MEETING AGENDA**

Tuesday, July 27, 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. Introduction of Little Miss South Gate Court 2010

The City Council will introduce the Little Miss South Gate Court 2010. (ADMIN)

2. Resolution: Naming the Horseshoe Pits at South Gate Park as the Ray Lopez, Sr., Horseshoe Pits

The City Council will consider: (PARKS)

- a. Adopting a **Resolution** _____ naming the horseshoe pits at South Gate Park as the “Ray Lopez, Sr., horseshoe Pits”; and
- b. Directing staff to place appropriate signage.

3. Ordinance: Amending Title 5 by adding Chapter 5.09 Establishing Illegal Dumping Regulations

The City Council will open 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 September 28, 2010. (PW)

4. Ordinance: Amending Title 11 Prohibiting Marijuana Distribution Facilities

The City Council will: (CD)

- a. Accept the determination that this project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of California Environmental Quality Act; and
- b. Waive the reading in full and introducing an Ordinance amending Title 11 (Zoning), Chapter 11.04 (Definitions) by adding Section 11.04.351 (Marijuana Distribution Facility), amending Chapter 11.28 (Prohibited Uses) by adding a new Section 11.28.020 (Marijuana Distribution Facility Prohibition) and adding a new Section 11.28.030 (Unlawful Uses).

5. Resolution: Amending Resolution No. 7373 by increasing the water, sewer and street sweeping fees by 3%

The City Council will adopt a **Resolution** _____ amending Resolution No. 7373 by increasing fees for water, sewer, and street sweeping. (FIN)

6. Determination of suspension and/or revocation of El Taconazo’s business license

The City Council will conduct a Public Hearing to consider accepting evidence and testimony presented and upon proof being made to the satisfaction of the City Council, revoke Business License Numbers 013208, 013209, and 013462 for the business known as “El Taconazo” located at 2751 Firestone Boulevard. (FIN)

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 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18 and 19 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.

7. Resolution: approving the expansion of the Los Angeles County recycling market development zone to include additional cities

The City Council will consider adopting a **Resolution** ____ approving the expansion of the Los Angeles County Recycling Market Development Zone (RMDZ) to include the cities of Azusa, Baldwin Park, Covina, Culver City, El Segundo, Huntington Park, Monrovia, Santa Fe Springs and Whittier. (CD)

8. Memorandum of Understanding with the Los Angeles Community College District regarding East Los Angeles College Firestone Educational Center

The City Council will consider: (CD)

- a. Approving the Memorandum of Understanding (MOU) with the Los Angeles Community College District (LACCD) under which LACCD agrees to: (a) initiate a master planning process and prepare a new project level Environmental Impact Report (EIR) for the East Los Angeles College Firestone Educational Center in the City on a site bounded by Firestone Boulevard, Alameda Corridor Trench, Union Pacific Railroad and Santa Fe Avenue; (b) consult with the City throughout the master planning and EIR process, including conducting a new traffic study, considering City's comments to LACCD's previous EIR prepared for acquisition of the site, and incorporating the City's comments to the new EIR; (c) use best efforts to mitigate the reasonable concerns identified by the City during the new EIR comment process; and (d) not undertake any significant physical changes at the Site until the new EIR is completed;
- b. Authorizing the Mayor to execute the MOU in a form acceptable to the City Attorney or Special Counsel subject to approval by LACCD; and
- c. In the event that LACCD does not approve the MOU, then the City Council directs the City Attorney and Special Counsel to file a legal action challenging the prior EIR that was the subject of the now expired Tolling and Standstill Agreement.

9. Third Amendment to the Disposition and Development Agreement for Llovio Ford, Inc., to Sergio E. Llovio

The City Council will consider: (CD)

- a. Approving the Third Amendment to the Disposition and Development Agreement (DDA) for Llovio Ford, Inc. to Sergio E. Llovio, Trustee of the Sergio E. Llovio Living Trust, established September 19, 2006; and
- b. Authorizing the Mayor (CDC Chair as appropriate) to execute the Third Amendment to the DDA in a form acceptable to the City Attorney or Special Counsel.

10. Amendment No. 4 to Contract No. 1578 with Honeywell Int'l for installation of equipment at South Gate Park

The City Council will consider: (PW)

- a. Approving Amendment No. 4 to Contract No. 1578 with Honeywell, International (Honeywell) for the furnishing and installation of eight (8) Air Handling Units (AHU's) and five (5) variable air volume (VAV) boxes with reheat for zones throughout the Sports Center facility; and
- b. Authorizing the Mayor to execute Amendment No. 4 in a form approved by the City Attorney.

11. Item was removed from the agenda.**12. Lease Agreement with Golf Ventures West Inc., for purchase of one large area turf grass mower**

The City Council will consider: (PARKS)

- a. Awarding the Lease/Purchase Option to Golf Ventures West Inc. for the purchase of one large area turfgrass mower, a Jacobsen HR 9016, 16 foot wide cut rotary mower for the Parks Maintenance Division; and
- b. Authorizing the Mayor to execute the Lease/Purchase Municipal Lease Agreement at the rate of 4.41% for a total of \$74,154 with GE Capital Solutions for the term of 36 months in a form approved by the City Attorney; and
- c. Directing the Finance Director to make the annual lease payments for the term of the financing.

13. Lease/Purchase Agreement with Altec Capital Services for one alternative fuel lift truck

The City Council will consider: (PW)

- a. Rescinding the Award of the Lease/Purchase Option Contract with Ford Motor Company which was approved by the City Council at their regular meeting of April 13, 2010; and
- b. Awarding the Lease/Purchase Option Contract to Altec Capital Services for the purchase of one alternative fuel lift truck, Altec 37 foot Insulated Hydraulic Telescopic Aerial Bucket Truck (AT37-G) for the Electrical Division; and
- c. Authorizing the Mayor to execute the Lease/Purchase Municipal Lease Agreement at the rate of 6.5% for a total of \$110,694 with Altec Capital Services for the term of 5-years in a form approved by the City Attorney; and
- d. Appropriating \$110,694 from AQMD Subvention funds to cover the cost of the lift truck Lease/Purchase; and
- e. Directing the Finance Director to make the annual lease payments of \$25,895 for the term of the financing.

14 Agreement with Lance, Soll & Lunghard, LLP for city auditing services

The City Council will consider: (FIN)

- a. Approving a three year contract with Lance, Soll & Lunghard, LLP for independent audit services for the City and the Redevelopment Agency; and
- b. Authorizing the Mayor to execute the agreement in a form approved by the City Attorney.

15. Agreement with C.T. & F., Inc., for Street Lighting Upgrade to High-Energy Efficient Fixtures at various locations citywide

The City Council will consider: (PW)

- a. Awarding a construction contract to C.T. & F., Inc., the lowest responsible bidder, for street lighting upgrade to high-energy efficient fixtures at various locations citywide, in the amount of \$163,600 consisting of a \$141,682 base bid and \$21,918 additive bid, City Project No. 426-LT; and
- b. Authorizing the Mayor to execute an Agreement in a form approved by the City Attorney.

16. Allocation of monies received from Goals Soccer Center rent for Park needs

The City Council will consider allocating \$18,000 in rent received from the new Goals Soccer Center for park needs including tables for the Park Auditorium and upgrade of the electrical panel at the Park Yard. (PARKS)

17. Annual Fee Waiver Policy Report for use of Park Facilities

The City Council will consider: (PARKS)

- a. Receiving and filing the annual Fee Waiver Policy report from the Parks & Recreation Commission; and
- b. Directing staff to continue implementation of the current Fee Waiver Policy and to continue with the existing practice of attempting to recover all City expenses related to fees.

18. Quarterly Investment Report for June 30, 2010

The City Council will consider receiving and filing the Quarterly Investment Report for June 30, 2010: (FIN)

19. Purchase of four Dodge Charger Police Vehicles

The City Council will consider authorizing the purchase of four 2010 Dodge Charger Police vehicles from Mc Peek's Dodge in the amount of \$102,227. (FIN)

20. City Council Meeting Minutes

The City Council will consider approving the Special and Regular City Council Meeting Minutes of July 13, 2010. (CLERK)

21. **This item was removed from the agenda.**

22. **Warrant Register for July 27, 2010**

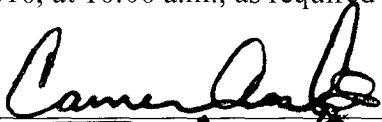
The City Council will consider approving the Warrants and Cancellations for July 27, 2010. (FIN)

Total of Checks:	\$2,755,461.26
Voids	\$ (58,075.31)
Total of Payroll Deductions:	\$ <151,692.53>
Grand Total:	\$2,545,693.42

Cancellations: 29438, 29558

23. **Adjournment**

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on July 26, 2010, at 10:00 a.m., as required by law.


Carmen Avalos, City Clerk

City of South Gate

CITY COUNCIL

RECEIVED

JUL 21 2010

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: July 27, 2010

Originating Department: Administration

Department Head: _____



Ronald Bates

City Manager: _____



Ronald Bates

SUBJECT: INTRODUCTION OF LITTLE MISS SOUTH GATE COURT 2010

ACTION: Mayor Martinez will introduce the Little Miss South Gate Court 2010.

FISCAL IMPACT: None

REPORT SUMMARY: The South Gate Chamber of Commerce held the first annual Little Miss South Gate Pageant on Saturday, July 17, 2010. The Little Miss South Gate Pageant is for girls' ages 7 to 10 years old. The recipients will hold their title until the following year's pageant. The purpose of the event is to instill positive attributes of confidence and self esteem for all participants, while in a family-friendly and age appropriate environment.

Mayor Martinez will introduce the Little Miss South Gate Court 2010:

Little Miss South Gate
1st Runner-up
1st Princess
2nd Princess
3rd Princess

Juliana Cuevas, age 7
Linnette Ruiz, age 10
Jessica Hernandez, age 10
Emily Sillas, age 7
Kelsy Possie, age 10

ATTACHMENTS: None

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City of South Gate

CITY COUNCIL

JUL 21 2010

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: July 27, 2010

Originating Department: Parks & Recreation

Dept. Head: Paul L. Adams  City Manager Ronald Bates: 

SUBJECT: RESOLUTION NAMING THE HORSESHOE PITS AT SOUTH GATE PARK AS THE RAY LOPEZ, SR., HORSESHOE PITS

ACTION:

- a) Adopt a Resolution naming the horseshoe pits at South Gate Park as the "Ray Lopez, Sr., Horseshoe Pits"; and
- b) Direct staff to place appropriate signage.

FISCAL IMPACT: Installation of signage will be minimal and within the Department's current budget. *MM*

REPORT SUMMARY: The horseshoe pits at South Gate Park have long been recognized as an outstanding feature of our park. This facility is home to the South Gate Horseshoe Pitchers Association (SGHPA) and has been home to regular tournaments, regional and state Championship events and was even the location for the World Championship tournament in 1963 and 1970.

Since 1992, Ray Lopez, Sr., has been a driving force behind the SGHPA. Their many events bring hundreds of visitors to South Gate every year and the organizations countless hours of volunteer labor have helped to keep our horseshoe pits recognized as one of the best horseshoe locations in the country.

Ray, along with his wife and adult children organize and run a number of tournaments each year on behalf of the SGHPA. On tournament days, Ray is the first one out there and the last one to leave. Ray has personally provided the labor and often the materials from his own pocket to make improvements to maintain or improve the quality of the South Gate horseshoe pits.

Ray doesn't restrict his efforts to just maintenance of the horseshoe pits. Ray can often be found at the horseshoe pits teaching newcomers about the sport. Although Ray teaches many adults, he is particularly interested in introducing teenagers and youth to the sport as well. Ray has become so well known for his hard work and dedication to the sport of horseshoes and to the facilities in South Gate that in 2009, Ray was elected to the Southern California Horseshoe Pitchers Association's Hall of Fame for his contributions to the sport.

Ray has also been a valued employee of the South Gate Parks & Recreation Department for 42 years. Ray began his employment with the City in 1967 and has been the Park Mechanic since 1976. Ray announced his retirement and will end his long tenure with the City in August of 2010.

As Park Mechanic, Ray is responsible for keeping the Parks equipment in good operating condition for all of the other Parks employees. From large riding mowers to chainsaws, leaf blowers and weed eaters, Ray takes pride in keeping the equipment running in top shape so that the Groundsworkers can do their jobs safely and efficiently. Through Ray's continual attention to the equipment over the years, the Department has been able to keep replacement and repair costs down and keep the equipment and our employees out working.

In recognition of Ray's lifetime of service to the City of South Gate and to the sport of horseshoe pitching, staff is recommending that the City Council adopt the attached resolution naming the horseshoe pits at South Gate Park as the "Ray Lopez, Sr., Horseshoe Pits".

This action will be non-binding and may be altered by future City Council action. This action does not commit the City or the City Council to any future support or actions related to the horseshoe pits and makes no commitments to future actions involving the SGHPA or Ray Lopez, Sr. Staff does hope that this action will create a long standing recognition of Ray's dedication and service to both horseshoe pitching and to the City of South Gate.

ATTACHEMENT: Proposed Resolution

RESOLUTION NO. _____

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE
NAMING THE HORSESHOE PITS AT SOUTH GATE PARK AS THE
RAY LOPEZ, SR., HORSESHOE PITS**

WHEREAS, Ray Lopez, Sr., began working for the City of South Gate as a "Gardener", on September 25, 1967 and was promoted to Parks Equipment Mechanic in 1976 until his planned retirement in August of 2010, completing almost 43 years of employment with the City of South Gate Parks & Recreation Department; and

WHEREAS, Ray began his interest in horseshoe pitching in 1992 and soon became a member of the South Gate Horseshoe Pitchers Association (SGHPA) and has continued to compete and serve as a member of the SGHPA ever since; and

WHEREAS, Ray and the members of the SGHPA have provided countless hours of volunteer service in maintaining and improving the South Gate Park Horseshoe Pits; and

WHEREAS, the horseshoe pits at South Gate Park are recognized as one of the best pitching locations in California, hosting a number of regional competitions and two World Championship events held in 1963 and 1970; and

WHEREAS, Ray has personally worked over the years in promoting the sport of horseshoe pitching within the City of South Gate and helping to promote the City by continuing to organize and host National Horseshoe Pitchers Association of America sanctioned tournaments at South Gate Park including 8 tournaments and the Southern California Championships in the 2010 season; and

WHEREAS, through his dedication, service and tireless commitment over the past 18 years, Ray Lopez, Sr., has become synonymous with horseshoe pitching in South Gate, being recognized in 2009 as a member of the Southern California Horseshoe Pitchers Associations' Hall of Fame;

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

SECTION 1. The City Council hereby names the horseshoe pits at South Gate Park as the “Ray Lopez, Sr., Horseshoe Pits” and directs the Director of Parks & Recreation to provide appropriate signage designating them as such. Said naming shall be subject to change with or without notice, and on a non-exclusive naming basis.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

PASSED, APPROVED and ADOPTED this 27th day of July, 2010.

CITY OF SOUTH GATE:


Gregory Martinez, Mayor

ATTEST:

Carmen Avalos, City Clerk

(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

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City of South Gate

CITY COUNCIL

Item No. 3

JUL 20 2010

AGENDA BILL

CITY OF SOUTH GATE
OFFICE OF THE CITY MANAGER

For the Regular Meeting of: July 27, 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 September 28, 2010.

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

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.

The proposed ordinance for consideration by the City Council will recite provisions of State Law and a provision will be 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 has required additional review of other provisions of the South Gate Municipal Code and more time is necessary to finalize an illegal dumping ordinance. To avoid the cost of republishing the notice, staff requests this matter be continued to September 28, 2010.

ATTACHMENTS: A. Notice of Public Hearing

RD/MM:lc

CITY OF SOUTH GATE
NOTICE OF PUBLIC HEARING

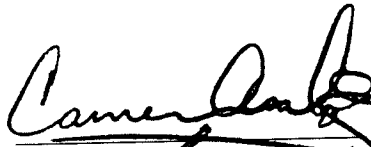
Office of the
South Gate City Clerk
MAY 23 2010
FILED

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