

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING
MINUTES
TUESDAY, JULY 11, 2006**

CALL TO ORDER Mayor Maria Davila called a Regular Meeting of the City Council to order at 6:36 p.m.

INVOCATION Steve Lefever, Director of Community Development led the Invocation.

PLEDGE OF ALLEGIANCE Martha Ballard, 2006 Older American Recipient and 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 Treasurer Rudy Navarro City Manager Gary Milliman and City Attorney Raul F. Salinas

LATE Council Member Gregory Martinez arrived at the dais at 6:46 p.m.

1 PRESENTATIONS/ AWARDS The City Council was introduced to the recently hired Police Officers.

2 PRESENTATIONS/ AWARDS The City Council issued a Certificate of Appreciation to Martha Ballard in recognition for receiving the 2006 Older American Recognition Award for her dedicated service to the community.

3 ZONING The City Council unanimously continued the public hearing to consider waiving the reading and introducing an Ordinance – An Ordinance of the City Council of the City of South Gate changing the zoning designation to the rear forty feet of the lot located at 3830 Firestone Boulevard from R-3 to C-M, to the regularly scheduled City Council Meeting of August 22, 2006, by motion of Vice Mayor De Witt and seconded by Council Member Hurtado.

4 ZONING/ GENERAL PLAN/ MUNICIPAL CODE ADMIN The City Council conducted a public hearing and unanimously approved and certified the Environmental Determination of Mitigated Negative Declaration, Preliminary Environmental Assessment (PEA) No. 1740, subject to the implementation of the proposed mitigation measures, by motion of Council Member Martinez and seconded by Council Member Hurtado; and

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ZONING/ GENERAL PLAN/
MUNICIPAL CODE ADMIN
CONTINUED

- a) Waived the reading and introduced Ordinance No. 2212 – An Ordinance of the City Council of the City of South Gate, amending Title 11 (Zoning), Chapter 11.06 (Establishment of Use Zones, Boundaries thereof and limiting the use of Land and Areas required therein) of the South Gate Municipal Code by establishing Section 11.06.039.159 (Certain Property reclassified from M-3 and R-3 to precise plan status) and modifying subsection 11.50.110.17, in order to change and reclassify certain property from a Zone of M-3 (Heavy Manufacturing) and R-3 (Multi-residential to provide a new zoning district to be commonly know as Precise Plan No. 17); and
- b) Adopted Resolution No. 7118 – a Resolution of the City Council of the City of South Gate, adopting General Plan Amendment No. 2006-01 which amends the City’s Community Development element relating to a mixed use residential/commercial development; and
- e) Adopted Resolution No. 7119 – A Resolution of the City Council of the City of South Gate, approving tentative Tract Map No. 066245; and
- f) Adopted Resolution No. 7120 – A Resolution of the City Council of the City of South Gate, approving tentative Parcel Map No. 66056.

RECESS

The City Council recessed at 8:47 p.m., and reconvened at 8:56 p.m., with all Members of Council present.

5

TRACT MAP ADMIN

The City Council conducted a public hearing to consider adopting a Resolution – A Resolution of the City Council of the City of South Gate, approving tentative Tract Map No. 66426 for a seven unit condominium project at 5495 Gardendale Street; and

- a) Approving the tentative map for continued processing.
- b) Waiving the reading and introducing an Ordinance - changing the zoning at the rear third of 5495 Gardendale Street from M-2 to R-3 to allow development of a seven unit condominium project.

Item 5 was referred to the Planning Commission with the provision that if the City Attorney finds the process requires more than a 30 day delay, then the matter returns directly City Council within the 30 days for further consideration by motion of Mayor Davila and seconded by Council Member Hurtado. Vice Mayor De Witt recused himself from the dais, Council Chambers and from the vote. Vice Mayor De Witt returned to the dais after the vote for the remainder of the meeting.

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

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MUNICIPAL CODE ADMIN The City Council unanimously conducted a public hearing, waived the reading and introduced Ordinance No. 2213 - An Ordinance of the City Council of the City of South Gate amending Title II (Zoning), Chapter 11.22 (M-2 Light Manufacturing), Section 11.22.010 (Permitted Uses), Subsection 26.3 (Miniwarehouse) (a) (Mandatory Conditions) (i) of the South Gate Municipal Code by modifying requirements for miniwarehouse uses, by motion of Council Member Martinez and seconded by Council Member Hurtado; and

- a) Approved the Categorical Exemption under Section 15061 (b)(3) of the California Environmental Quality Act.

7

MUNICIPAL CODE ADMIN The City Council unanimously conducted a public hearing, waived the reading and introduced Ordinance No. 2214 – An Ordinance of the City Council of the City of South Gate amending Title 5 (Street and Sidewalks) of the South Gate Municipal Code by establishing Chapter 5.34 pertaining to the regulation of pay phones in the public right-of-way, by motion of Council Member Martinez and seconded by Council Member Hurtado.

8

**UNCLASSIFIED USE
PERMITS**

The City Council unanimously conducted a public hearing and adopted Resolution No. 7121 – A Resolution of the City Council of the City of South Gate, approving Unclassified use Permit No. 15, Amendment No. 1, a digital wireless telecommunications facility at 4218 Firestone Boulevard, by motion of Council Member Martinez and seconded by Council Member Hurtado.

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**UNCLASSIFIED USE
PERMITS**

The City Council unanimously conducted a public hearing and adopted Resolution No. 7122 – A Resolution of the City Council of the City of South Gate approving Unclassified Use Permit No. 51, a digital wireless telecommunications facility at 5911 Firestone Boulevard, by motion of Council Member Martinez and seconded by Vice Mayor De Witt.

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**TRANSPORTATION
PLANNING/ADMIN**

The City Council unanimously conducted a public hearing and adopted Resolution No. 7123 – A Resolution of the City Council of the City of South Gate finding the City of South Gate to be in conformance with the Congestion Management Program and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089, by motion of Council Member Martinez and seconded by Vice Mayor De Witt.

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COMMENTS PERTAINING TO NON-AGENDA ITEMS

Virginia Johnson announced that the National Night Out will be at the South Gate Park on Tuesday, August 1, 2006. She also mentioned that there is construction taking place at 5756 Jefferson and hopes it's not a garage conversion. She inquired if Hollydale Video has a business license.

Osmundo Lanusa, 2642 Missouri Avenue, addressed City Council about three young people that live next door to him which are always having gatherings and Mr. Lanusa is afraid for his family's safety.

Jorge Carrillo, 9208 Dorothy Avenue, announced that St. Helen's is celebrating its 75th Year and is accepting donations.

Rudy Navarro, City Treasurer was approached by the South Gate Band to help them with a fundraiser.

Council Member Gonzalez announced that he will be out of town on August 1st on National Night Out. He also reported received a few phone calls over the weekend about a petition being circulated regarding gang violence in the community, especially on McCallum Avenue. He spoke about building the Crime Impact Team again.

Council Member Martinez thanked the community for their support and announced he will be leaving early tonight.

Vice Mayor De Witt asked staff to revisit the parking ordinance and congratulated public works for their fast response to fix some telephone poles that was tipping over.

Mayor Davila congratulated Paul Adams, Director of Parks for a wonderful job with the fireworks.

CLOSED SESSION

The City Council recessed into Closed Session at 9:49 p.m., and reconvened at 10:18 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. Albright Yee & Schmit v. City of South Gate
 - b. City of South Gate v. AYS

The City Council heard a report from its outside counsel and the City Attorney with respect to pending litigation involving the Albright Yee & Schmit law firm. The City Council considered an offer that was presented to City Council to resolve the case and gave directions to the attorneys on how to respond to the offer. There was no actual vote taken in connection with that offer but guidance was given.

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REPORTS AND COMMENTS FROM CITY COUNCIL

MEMBERS

Council Member Hurtado mentioned that he has a copy of the COG budget and if anyone is interested to please see Veronica in Administration.

Mayor Davila announced that the Southeast Cities Schools Coalition is meeting every week and wrote a letter opposing Bill 1381.

CONSENT CALENDAR

Agenda Items 11 and 13 were approved during consideration of the Consent Calendar by motion of Council Member Martinez and seconded by Council Member Hurtado. Items 12 and 14 were pulled for separate discussion.

11

ENVIRONMENTAL QUALITY CONTROL

The City Council unanimously awarded a professional services agreement (Contract No. 2302) - for \$51,950 to John L. Hunter and Associates, Inc. for the administration and implementation of the Used Oil Recycling Grant, during consideration of the Consent Calendar; and

- a) Awarded a professional services agreement (Contract No. 2303) - for \$57,710 to John L. Hunter and Associates, Inc. for the administration and implementation of the Beverage Container Recycling Grant; and
- b) Authorized the Mayor and City Clerk to execute the agreements.

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PARKING & TRAFFIC

The City Council unanimously approved the Notice of Exemption filed with the Los Angeles County Clerk's office on May 4, 2006, by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt; and

- a) Appropriated \$150,000 from Gas Tax fund balance for construction contract and construction management services; and
- b) Awarded a construction contract (Contract No. 2304) - for \$808,419.50 to CSI Electrical Contractors, Inc., the lowest responsible bidder; and
- c) Authorized the Mayor and City Clerk to execute the construction contract.

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STREETS/SIDEWALKS/ LANDSCAPING

The City Council unanimously reallocated \$200,000 of Gas Tax funds from the 2006-2007 Citywide Slurry Seal Project to the 2005-2006 Citywide Sidewalks, Curb/Gutter and Driveway Replacement Program, City Project No. 341-ST, during consideration of the Consent Calendar; and

- a) Approved Change Order No. 3 for \$200,000 for replacement of deteriorated and broken sidewalks, curb/gutter and driveways, and installation of wheel chair ramps; and
- b) Authorized the Director of Public Works to execute Change Order No. 3.

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MINUTES

The City Council approved the Regular City Council Meeting Minutes of June 27, 2006, by motion of Council Member Gonzalez and seconded by Council Member Martinez.

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

15
BUSINESS LICENSE ADMIN

The City Council considered waiving the reading and introducing an Ordinance - Amending Title 2 (Licenses – Business Regulations), Chapter 2.08 (Business License Tax), Section 2.08.380 (Payment of Business License Taxes – Calendar Year), of the South Gate Municipal Code by amending Subsection B (Commercial Vehicles) in order to delete certain categories of commercial vehicles, in particular gasoline and oil delivery, meat and all other categories of commercial vehicles not expressly identified in the ordinance, was unanimously removed from the agenda by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt.

16
CITY COUNCIL MEETING
SCHEDULE/REGS ADMIN

The City Council unanimously waived the reading & introduced (as amended) Ordinance No. 2215 – An Ordinance of the City Council of the City of South Gate amending Ordinance No. 2136 relating to the order of business of regular and special City Council meetings, by motion of Council Member Gonzalez and seconded by Council Member Martinez.

AMENDMENT: (13) Consent Calendar Items: All items, including Ordinances, Resolutions and Contracts, may be approved by the adoption of the Consent Calendar, individually and collectively, by one motion. There will be no separate discussion of these items unless Members of City Council, staff or the public request that specific items be removed from the Consent Calendar for separate discussion and action.

17
LAW ENFORCEMENT

The City Council adopted Resolution No. 7124 – A Resolution of the City Council of the City of South Gate in support of the Los Angeles County gang suppression, prevention and intervention sales tax, by motion of Mayor Davila and seconded by Council Member Hurtado.

ROLL CALL: Mayor Davila, yes; Vice Mayor De Witt, yes; Council Member Gonzalez, yes; Council Member Hurtado, yes; Council Member Martinez, no.

Council Member Martinez left the dais at 11:15 p.m.

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PERSONNEL RECRUITMENT & SELECTION

The City Council adopted Resolution No. 7125 – A Resolution of the City Council of the City of South Gate amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) by creating position specifications for Intermediate Typist Clerk and Court Liaison Officer and amending position specifications for Property Control Clerk, by motion of Council Member Gonzalez and seconded by Mayor Davila. Council Member Martinez was absent.

19

UNDERGROUND UTILITY DISTRICT

The City Council adopted Resolution No. 7126 – A Resolution of the South Gate City Council declaring its intention to establish an Underground Utility District No. 8 on Firestone Boulevard and set a public hearing for August 8, 2006, by motion of Mayor Davila and seconded by Vice Mayor De Witt. Council Member Martinez was absent.

20

DEVELOPMENT ADMIN

The City Council continued the discussion of the color standards for businesses on Tweedy Boulevard to the City Council meeting of July 25, 2006, by motion of Council Member Gonzalez and seconded by Vice Mayor De Witt. Council Member Martinez was absent.

21

WARRANTS & CANCELLATIONS

The City Council approved the Warrants and Cancellations for July 11, 2006, including Warrant No. 128780 by motion of Council Member Gonzalez and seconded by Council Member Hurtado. Council Member Martinez was absent.

Total of Checks:	\$1,003,056.84
Total of Payroll Deductions:	<u>\$ < 115,847.52 ></u>
Total of Net City Expenses:	\$ 887,209.32

Cancellations: 126257,128258,128380

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CITY COUNCIL

City Manager Announcements: None

ADJOURNMENT

Mayor Davila adjourned the meeting in Memory of Kaydee Cristina Salinas, South Gate resident, Adell Thompson-LaRue (worked many years at South Gate High School), Maurice Owens (Lolita Brown Fletcher, Director of Personnel step son-in-law) and Dolores Margaret Nischan (Cynthia Duprey's grandmother) at 11:22 p.m., and seconded by Council Member Hurtado.

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PASSED and **APPROVED** this 25th day of July, 2006.

ATTEST:

Maria Davila, Mayor

Carmen Avalos, City Clerk