



## **SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA**

**Tuesday, February 13, 2007 at 6:30 p.m.**

**CALL TO ORDER:** Maria Davila, Mayor  
**INVOCATION:** Father John Provenza, St. Helen Church  
**PLEDGE OF ALLEGIANCE:** Patricia Urbina, Parks & Recreation Employee  
**ROLL CALL:** Carmen Avalos, City Clerk

**MAYOR**  
Maria Davila

**CITY CLERK**  
Carmen Avalos

**VICE MAYOR**  
Bill De Witt

**CITY TREASURER**  
Rudy Navarro

**COUNCIL MEMBERS**  
Henry C. Gonzalez  
Gregory Martinez  
Gil Hurtado

**CITY MANAGER**  
Gary Milliman

**CITY ATTORNEY**  
Raul F. Salinas

City Council Chambers, 8650 California Avenue, South Gate, California 90280  
(323) 563-9510 \* fax (323) 563-5411 \* [www.cityofsouthgate.org](http://www.cityofsouthgate.org)

***CLOSED SESSION: (ATTY)***

1. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**  
 Pursuant to Government Code Section 54956.9(a)
  - a. AYS v. City of South Gate
  - b. City of South Gate v. AYS
  - c. City of South Gate v. Klistoff
  - d. In re GWS Nursery (Bankruptcy Proceedings)

**OPEN SESSION AGENDA**

**1. Introduction of Patricia Urbina, Parks and Recreation Employee**

The City Council will be introduced to Patricia Urbina, a recently hired employee in the Parks and Recreation Department. (PARKS)

**2. Recognition of the South Gate Democrats Baseball Team**

The City Council will present *Certificates of Appreciation* to the South Gate Democrats, 10 and under baseball team for taking first in the 2006 USSSA State tournament and the 2006 National and State Triple Crown Series tournament. (ADMIN)

**3. Recognition of the South Gate Police Department Explorer Post 1969X Graduates**

The City Council will present *Certificates of Appreciation* to the South Gate Police Department Explorer Post 1969X Graduates. (PD)

**4. Formation of Budget and Finance Committee**

The City Council will consider approving the formation of a Budget and Finance Committee of the City Council, with direction that meetings of the Committee shall be held in accordance with the Brown Act, and affirm the appointment of Vice Mayor De Witt and Council Member Gonzalez to the Committee. (ADMIN)

**5. Formation of Education Committee**

The City Council will consider approving the formation of an Education Committee of the City Council, with direction that meetings of the Committee shall be held in accordance with the Brown Act, and affirm the appointment of Mayor Davila and Council Member Gonzalez to the Committee. (ADMIN)

**6. Public Hearing to consider a Zone Change from M-2 to R-3 at 5595 Gardendale Street – Five Unit Condominium Project**

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

- a. Adopting a **Resolution** \_\_\_\_\_ approving Tentative Tract Map No. 68100, for five unit condominium project on the property located at 5595 Gardendale Street; and
- b. Approving the tentative map for continued processing; and
- c. Waiving the reading and introducing an **Ordinance** \_\_\_\_\_ to change the zoning of a portion of the lot at 5595 Gardendale Street from M-2 to R-3, as identified by Zone Change No. 105.

**7. Public Hearing to introduce an Ordinance regarding the Placement of Canopies**

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

- a. Waiving the reading and introducing an **Ordinance** \_\_\_\_\_ to amend certain sections of Chapters 11.07 (R-1-7500, Single Family Residential Zone), 11.08 (R-1, Single Family Residential Zone), 11.10 (R-2, Two-Family Residential Zone), 11.10 (R-3, Multiple-Family Residential Zone) of Title 11 (Zoning), of the South Gate Municipal Code by Modifying sections containing language regarding canopies in front yard areas of residential zones.

**8. Public Hearing to Consider the Citizen’s Advisory Committee’s List of Proposed Projects and Allocations to be funded under the Fiscal Year 2006-2007 Community Development Block Grant Program**

The City Council will conduct a Public Hearing and consider approving the proposed list of project funding and allocations. (CD)

***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 9, 10, 11, 12, 13, 14, 15 and 16 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.

**9 Approval of Consulting Agreement with Mary Joe Warren for Election Services**

The City Council will consider approving a consulting agreement (Contract No. \_\_\_\_\_) with Mary Joe Warren to provide services to the City Clerk’s Office as the Absentee Ballot Program Coordinator. (CLERK)

**10. Retainer Agreement for Greines, Martin, Stein & Richland, LLP**

The City Council will consider: (ATTY)

- a. Approving and entering into an agreement (Contract No. \_\_\_\_\_) to retain Greines, Martin, Stein & Richland, LLP, to provide professional litigation services to the City of South Gate and the City’s Community Development Commission in such matters as may be designated by the City Attorney; and

- b. Authorizing the Mayor to execute retainer agreement.

**11. Retainer Agreement for South Bay Law Firm**

The City Council will consider: (ATTY)

- a. Approving and entering into an agreement (Contract No. \_\_\_\_\_) to retain South Bay Law Firm, to provide professional litigation services to the City of South Gate and the City’s Community Development Commission in such matters as may be designated by the City Attorney; and

- b. Authorizing the Mayor to execute retainer agreement.

<p><b>12. Firestone Boulevard and Atlantic Avenue Intersection Improvement Project</b></p> <p>The City Council will consider: (PW)</p> <ul style="list-style-type: none"> <li>a. Accepting Change Order No. 1 from PCR for additional services in the amount of \$11,925 for the Firestone Boulevard and Atlantic Avenue Intersection Improvement Project; and</li> <li>b. Appropriating \$11,925 from Proposition C funds to pay for such services.</li> </ul>
<p><b>13. Acceptance of Installation of Flashing Beacon on Firestone Boulevard at Madison Avenue Project, City Project No. 350-RF</b></p> <p>The City Council will consider: (PW)</p> <ul style="list-style-type: none"> <li>a. Accepting the Installation of Flashing Beacon on Firestone Boulevard at Madison Avenue Project, City Project No. 350-RF as complete effective January 18, 2007; and</li> <li>b. Directing the City Clerk to file the Notice of Completion with the County Recorder.</li> </ul>
<p><b>14. Acceptance of the Citywide Slurry Seal Project</b></p> <p>The City Council will consider: (PW)</p> <ul style="list-style-type: none"> <li>a. Accepting the 2005-2006 and 2006-2007 Citywide Slurry Seal Project, City Project No. 344-ST as complete effective December 20, 2006; and</li> <li>b. Directing the City Clerk to file the Notice of Completion with the County Recorder.</li> </ul>
<p><b>15. Surplus Property for Sale on Consignment</b></p> <p>The City Council will consider: (FIN)</p> <ul style="list-style-type: none"> <li>a. Authorizing U.S. Auction to sell on consignment miscellaneous surplus items and:</li> <li>b. Declaring the attached list of assets as Surplus Property.</li> </ul>
<p><b>16. Approval of City Council Meeting Minutes</b></p> <p>The City Council will consider approving the City Council Meeting Minutes of January 23, 2007. (CLERK)</p>

**17. Designation of Redevelopment Survey Area for Proposed Project Area 2**

The City Council will consider adopting a **Resolution \_\_\_\_\_** amending Resolution No. 7141 by further identifying the redevelopment survey area with assessor parcel numbers in connection with the determination of the feasibility of a proposed new redevelopment project area pursuant to Community Redevelopment Law. (CD)

**18. Approval of License Agreement for Use of Department of Water and Power (DWP) Right-Of-Way along Southern Avenue for Cesar Chavez Park**

The City Council will consider: (PARKS)

- a. Approving the license agreement (Contract No. \_\_\_\_\_), in a form approved by the City Attorney, for use of the Department of Water and Power (DWP) Right-of-Way along Southern Avenue from Calden Avenue to Santa Fe Avenue for Cesar Chavez Park as required for the existing Phase I improvements, and from Santa Fe Avenue to State Street for the planned Phase II improvements in substantial form; and
- b. Authorizing the Mayor to execute the final DWP License Agreement as approved by the City Attorney; and
- c. Allocating \$17,000 from General Funds Reserves to cover the necessary fees for the required License Agreement for the current fiscal year; and
- d. Authorizing the City Manager or his designee to enter into negotiations with DWP for the purpose of establishing a long-term License Agreement for the entire proposed project (Calden Avenue to Atlantic Avenue) with more advantageous financial terms for the City.

**19. Award Contracts for I-710/Firestone Boulevard Interchange, Phase III**

The City Council will consider:

- a. Awarding a construction contract (Contract No. \_\_\_\_\_) for \$10,672,300 to Beador Construction Company, Inc. for Construction of I-710/Firestone Boulevard Interchange, Phase III (Firestone Boulevard Bridge Widening over Rio Hondo Channel), Federal Project No. BRLSZD-5257 (013) and City Project No. 275-ST and;
- b. Awarding a consultant contract (Contract No. \_\_\_\_\_) for \$778,199.93 to Lim and Nascimento Engineering Corporation to provide Construction Management Services for the I-710/Firestone Boulevard Interchange, Phase III contingent upon Caltrans approval of the Consultant Pre-Award Audit and;
- c. Authorizing the Mayor and City Clerk to execute the Construction Contract with Beador Construction Company, Inc., Consultant Contract to Lim and Nascimento Engineering Corporation, and execute the Program Supplement Agreement No. 005-M1 to State-Agency Master Agreement No. 07-5257 and any future supplement agreement(s), funding agreement(s), Memorandum of Understanding (MOU), and amendment(s) to consultant agreements for this project in a form approved by the City Attorney; and
- d. Appropriating \$570,000 from Metro Proposition C Local Return Funds for the City's 11.47% share of the additional \$4.5 million federal funds approved by Caltrans on February 6, 2007.

**20. Mid-Year Budget Report for Fiscal Year 2006-2007**

The City Council will consider approving the following transactions as detailed in Attachment #3 of the agenda bill:

- a. Appropriating \$2,172,505 from the General Fund Reserve for various General Fund expenditures; and
- b. Reducing total expenditures in the Police Grants Fund by \$54,073; and
- c. Appropriating \$41,593 in CDBG funds for final invoice on Senior Center project; and
- d. Appropriating \$800,000 to CRA Fund 51 professional services for additional legal and consulting costs related to the Southland Properties.

**21. Investment Report for the Quarter Ending December 31, 2006**

The City Council will consider receiving and filing the quarterly investment report for December 31, 2006. (FIN)

**22. Warrants and Cancellations.**

The City Council will consider approving the Warrants and Cancellations for February 13, 2007. (FIN)

Total of Checks:	\$2,305,897.01
Total of Payroll Deductions:	\$ <37,636.26>
Grand Total:	\$2,268,260.75

Cancellations: 131770, 132257, 132390

**23. Adjournment.**

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted on February 8, 2007 at 3:00 p.m., as required by law.

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Carmen Avalos, City Clerk