

**CITY OF SOUTH GATE
REGULAR CITY COUNCIL MEETING MINUTES**

Tuesday, April 24, 2018

4/24/2018 - Minutes

I. Call To Order/Roll Call With Invocation & Pledge

CALL TO ORDER María Belén Bernal, Mayor called a Regular City Council meeting to order at 6:31 p.m.

INVOCATION Jackie Acosta, Director of Administrative Services

PLEDGE OF ALLEGIANCE Sergio Camacho, Police Lieutenant

ROLL CALL Carmen Avalos, City Clerk

II. City Officials

PRESENT Mayor María Belén Bernal, Vice Mayor Jorge Morales, Council Member Denise Diaz, Council Member Maria Davila, and Council Member Al Rios; City Treasurer Gregory Martinez, City Manager Michael Flad, Jerry Ruiz, Special Legal Counsel

III. Meeting Compensation Disclosure

IV. Proclamations, Certificates, Introductions And Ceremonial Actions

1. Proclamation Declaring April 8-14, 2018, As National Public Safety Telecommunicator's Week And Certificates To Dispatchers

The City Council:

- a. Issued a Proclamation declaring the week of April 8-14, 2018, as National Public Safety Telecommunicator's Week; and
- b. Presented Certificates of Appreciation to South Gate Police Dispatchers in recognition of their dedicated service to the South Gate community.

V. Public Hearings

2. Ordinance Amending Certain Sections Of Chapter 11.33 (Parking Standards), Of Title 11 (Zoning), Prohibiting Vehicular Parking On Front Lawns

The City Council conducted a Public Hearing and unanimously introduced Ordinance No. 2347 entitled - An Ordinance of the City Council of the City of South Gate, California, amending Sections 11.33.030 (General Standards and Limitations), 11.33.080 (Urban Mixed-Use Zone Requirements), 11.33.090 (Multi-Family Parking Requirements), and 11.33.100 (NL Zone Parking Requirements) of Chapter 11.33 (Parking Standards) of Title 11 (Zoning), of the South Gate Municipal Code by motion of Council Member Davila and seconded by Mayor Bernal.

ROLL CALL: Mayor Bernal, yes; Vice Mayor Morales, yes; Council Member Rios, yes; Council Member Davila, yes; Council Member Diaz, yes.

Joe Perez, Director of Community Development gave a brief summary on this item.

Mayor Bernal opened the Public Hearing at 6:42 p.m.

Virginia Johnson, 5751 McKinley Avenue she is having trouble visualizing what constitutes a front yard setback for legally built houses with no garage. For legally built houses with no garage are we going to allowing the 12 feet in front of the house or on the side of the house?

Nick Godoy, 8611 San Gabriel Avenue stated if the property does not have a lawn, if it has cement or sand in the front then it is not a lawn and can't be sited.

Mayor Bernal asked if anyone else in the audience wishes to speak on this item. Seeing no one step forward; Mayor Bernal closed the Public Hearing at 6:46 p.m.

Council Member Davila asked Mr. Perez if the changes that are being requested is to approve parking in front of the houses.

Mr. Perez answered that it would ensure that vehicles in the front yard setback, in a residential area could only be parked on an approved driveway area. Anything outside of that would be prohibited.

Council Member Rios asked what caused this item to be considered.

Mr. Perez answered that we discovered through public calls and when our parking officers went out to issue a citation that the citation number wasn't matching the new code number that was in the new zoning code from 2015. Also, there was lack of clarity from a parking enforcement standard as to issuing citations. For instance, an officer driving down the street wouldn't know if the car is going to be located in a neighborhood low zone opposed to a neighborhood medium zone, this helps with an enforcement stand point.

Vice Mayor Morales stated that basically the purpose of this item to clean up the language in the Ordinance because it has always been a lawn and asked what about residence that have paved an extra amount on the driveway.

Mr. Perez answered that the code allows a 12 foot wide driveway for a property that has a garage in the back of the property with a long driveway, if you have a garage that is frontloaded up towards the front of the property a two car garage is 20 foot wide. From a policy stand point people are allowed to have a 3 foot walkway but what we have seen in the city is that people fill this walkway in to allow for another vehicle to park.

Mayor Bernal clarified that if there is that 20 foot driveway in front of the garage and they added to the 3 foot walkway that is considered against this code.

Mr. Perez responded that the current City policy is not to let those two connect. If these two areas were to connect we would deal with this as a code enforcement issue.

Mayor Bernal asked what happens if the connection of the two areas already exists.

Mr. Perez states that the responsibility falls upon the property owner and then the issue goes through the City's normal code enforcement process.

Mike Flad, City Manager stated that the City Council has approved a citywide parking study which gather a lot of information and include a lot of public meetings. He suspects that one issue that will come from the study is alternatives can be provided for this item.

Vice Mayor Morales asked that if we take the parking study into consideration, should Council not vote on this item today and wait for the report to come back.

Staff recommends moving forward on this item since we are having enforcement issues as a result of conflict on the code.

Mayor Bernal clarified that the lawn does not need to have grass.

Mr. Perez responded that the actual code verbiage doesn't say lawn it says that you have to park on an approved driveway surface.

3. Ordinance Amending Certain Sections Of Chapter 11.51 (Permits And Procedures), Of Title 11 (Zoning), Adopting A Revised Discretionary Review Process And Thresholds For Potential New Development Projects Citywide

The City Council conducted a Public Hearing to consider waiving the reading in full and introducing Ordinance No. 2348 amending Table 11.51-1 (Application and Review Authority), of Section 11.51.030 (Review Types and Responsibilities), and 11.51.060 (Design Review), of Chapter 11.51 (Permits and Procedures), of Title 11 (Zoning), of the South Gate Municipal Code adopting a revised discretionary review process and thresholds for potential new development projects citywide.

This item was moved to the Special City Council Meeting of May 4, 2018.

Joe Perez, Director of Community Development gave a brief summary on this item.

Mayor Bernal asked if anyone in the audience wishes to speak on this item. Seeing no one step forward; Mayor Bernal closed the Public Hearing.

Mike Flad, City Manager suggested that this item be added to the Special City Council Meeting of May 4, 2018

Council Member Davila requested a hard copy of this item and agreed that it be brought back on May 4th.

4. Resolutions Increasing The Passport Application Acceptance Fee From \$25.00 To \$35.00

The City Council conducted a Public Hearing and unanimously adopted Resolution No. 7802 entitled - A Resolution of the City Council of the City of South Gate, California, amending Resolution No. 7668 (Schedule of Fees) and Resolution No. 7779 (Establishing Passport -Related Fees) to increase the Passport Application Acceptance Fee from \$25.00 per application to \$35.00 per application by motion of

Council Member Davila and seconded by Council Member Rios.

Carmen Avalos, City Clerk gave a brief summary on this item.

Mayor Bernal opened the Public Hearing.

Gil Hurtado, 10001 Frontage Road, Space 215 asked if the revenue and expenditures for passport services could be included as part of the budget report.

Mayor Bernal asked if anyone else in the audience wishes to speak on this item. Seeing no one step forward; Mayor Bernal closed the Public Hearing.

Council Member Rios asked is there a difference in the charges at the post office.

City Clerk Avalos answered that there is no difference in cost. The \$35.00 processing fee actually stays in the City and goes to the general fund. The cost for the passport itself goes to the U. S. Department of State and the City receives nothing. Any agency in the United States that processes passports follows the same fees and regulations.

VI. Comments From The Audience

Margaret Tellon, 10001 Frontage Road, Space 194 expressed concerns of Health Hazards.

Oscar Bardales, 4216 Firestone Boulevard expressed concerns of lack of parking on Firestone Boulevard during construction.

Arlene Bardales, 4216 Firestone Boulevard expressed concerns of lack of parking on Firestone Boulevard during construction.

Laura Vega expressed concerns of lack of parking on Firestone Boulevard during construction.

Adian Landa, with Assembly Member Anthony Rendon, will be hosting Veterans Resource Fair on Saturday, April 28, 2018 and would like to invite everyone to attend.

Gabriela Cid, with Congresswomen Nanette Barragan provided their monthly report.

Virginia Johnson, 5157 McKinley Avenue attended the Community in Action meeting and spoke on various issues.

Maria Elena Ramirez, 8965 Bryson Avenue stated that her landlord is taking over her business. She has searched the City and hasn't been able to find a place to move her business. She feels that the City doesn't support small businesses.

Nick Godoy, 8611 San Gabriel Avenue stated that after meeting with the City Manager and the Chief of Police the parking problems on his block have improved.

VII. Reports And Comments From City Officials

Paul Adams, Parks and Recreation Director announced that May 5th is opening weekend for the JAA at the Park; on the 12th will be the Spring Fit 5K run and Night Golf this Saturday.

Carmen Avalos, City Clerk stated that last week she attended a meeting at the County Register Recorders Office as part of the Voter's Community Outreach Program. They discussed the many Special Elections that will be held this year and there was also a presentation by the Los Angeles County Sheriff Department and the ACLU to bring forward the opportunity for people who are in prison or on probation be allowed to vote. Many studies have been done showing people who are more civically engaged, are more likely not to return to prison. At our primary election in June there are a total of 27 candidate for governor and 32 candidates for senator and reminders will be sent out to the voters stating that you can only vote for one candidate. There are many changes coming as the county is looking at SB415, SB450 and all mail elections.

Council Member Davila reported that Padres Unidos was recognized for their work in the community. She also thanked everyone that attended the South Gate Women's Conference and this Saturday they will be celebrating the Day of the Child

Council Member Diaz attended the HUB Cities meeting and they reorganized. The new chairperson is Graciela Ortiz from Huntington Park and the new vice chairperson is Baru Sanchez, from Cudahy. HUB Cities has received funding for an additional two years of services. She also attended the League conference where she is on the committee for environmental quality. Lastly, she attended the vector control meeting and had no mosquitos to report from this meeting.

Vice Mayor Morales attended the League of California Cities and reported on AB1912, AB2123 and SB827. At Contract Cities we had our board meeting and he also attended Earth Day at South Gate Park.

Mayor Bernal attended the Independent Cities Association and Career Day at Montera Elementary School. Earth Day was an awesome event and thanked everyone for their hard work.

VIII. Consent Calendar Items

Agenda Items 6, 7, 8, 13 and 14 were unanimously approved by motion of Council Member Davila and seconded by Vice Mayor Morales. Items 5, 9, 11, and 12 were removed for separate discussion.

5. Resolution For Local Streets And Roads Funding Program Project List For Fiscal Year 2018/19 For SB 1 Compliance

The City Council unanimously approved A, B, C, and D by motion of Vice Mayor Morales and seconded by Mayor Bernal.

- a. Adopted Resolution No. 7803 entitled - A Resolution of the City Council of the City of South Gate, California, adopting the Local Streets and Roads Funding Program Project List for Fiscal Year 2018/19 to comply with Senate Bill 1 requirements;
- b. Amended the Capital Improvement Program to incorporate the Citywide Sidewalk Improvement Project, Phase VI, City Project No. 599-ST;
- c. Directed the Director of Administrative Services to create a new Capital Improvement Account for the Citywide Sidewalk Improvement Project, Phase VI, City Project No. 599-ST; and
- d. Appropriated \$1,000,000 in Senate Bill 1 funds from the Fiscal Year 2018/19

estimated distribution to two projects as identified in the Local Streets and Roads Funding Program Project List for Fiscal Year 2018/19.

6. Resolution For Preliminarily Approving The Engineer's Report For The Street Lighting And Landscape Maintenance District No. 1

The City Council unanimously adopted A and B during consideration of the Consent Calendar.

a. Adopted Resolution No. 7804 entitled - A Resolution of the City Council of the City of South Gate, California, preliminarily approving the Engineer's Report for the proceedings of the Fiscal Year 2018/19 Annual Levy of Assessments within the Street Lighting and Landscape Maintenance District No. 1; and

b. Adopted Resolution No. 7805 entitled - A Resolution of the City Council of the City of South Gate, California, declaring the City's intention to levy and collect assessments under the Fiscal Year 2018/19 annual levy and collection of assessments within the Street Lighting and Landscape Maintenance District No. 1, and setting a Public Hearing for May 22, 2018.

7. Resolution Appointing A Delegate And Reappointing Alternate Delegate To The Independent Cities Risk Management Authority Board

The City Council unanimously adopted Resolution No. 7806 entitled - A Resolution of the City Council of the City of South Gate, California, appointing City Council Member Maria Davila to serve as the City's delegate and reappointing Deputy Director of Administrative Services/ Human Resources & Risk Management Nellie Cobos to serve as the City's alternate delegate to the Governing Board of the Independent Cities Risk Management Authority during consideration of the Consent Calendar.

8. Resolution Designating The City's Voting Delegate For The Southern California Association Of Governments Conference

The City Council unanimously adopted Resolution No. 7807 entitled - A Resolution of the City Council of the City of South Gate, California, designating City Council Member Denise Diaz to serve as the City's voting delegate at the Southern California Association of Governments' 2018 Regional Conference & General Assembly, May 2 through 4, 2018 during consideration of the Consent Calendar.

9. Resolution Amending Resolution No. 6454 (Salary Resolution And Position Classification Plan) Increasing The Salary Of The City Clerk And Approving The Schedule Of Salary And Benefits For The City Clerk

The City Council adopted Resolution No. 7808 entitled - A Resolution of the City Council of the City of South Gate, California, amending Resolution No. 6454 (Salary Resolution and Position Classification Plan) increasing the salary of the City Clerk and approving the Schedule of Salary and Benefits for the City Clerk as noted in Amendment 2 by motion of Mayor Bernal and seconded by Council Member Diaz.

Amendment 1: Approve an increase of 3.5%, remove the \$500.00 lump sum payment and no retro pay by motion of Vice Mayor Morales and seconded by Council Member Davila (motion failed).

ROLL CALL: Mayor Bernal, no; Vice Mayor Morales, yes; Council Member Rios, no; Council Member Davila, yes; Council Member Diaz, no.

Amendment 2: Approve an increase of 3.5%, remove \$500.00 lump sum payment, bring the item back to City Council in a year to review and approve retro pay starting from February 18, 2018 by motion of Mayor Bernal and seconded by Council Member Diaz.

ROLL CALL: Mayor Bernal, yes; Vice Mayor Morales, no; Council Member Rios, yes; Council Member Davila, yes; Council Member Diaz, yes.

EXCUSED FROM MEETING

At this time, Vice Mayor Morales was excused from the meeting and departed from the Council Chambers.

10. This Item Was Removed From The Agenda

11. Exclusive Negotiation Agreement With Primestor Development, Inc., To Develop Property At 5821 Firestone Boulevard

The City Council unanimously approved A and B by motion of Council Member Davila and seconded by Council Member Rios.

- a. Approved the Exclusive Negotiation Agreement (Contract 3436) establishing a one-year time period for exclusive negotiations with Primestor Development, Inc., for the purchase and development of City-owned property at 5821 Firestone Boulevard; and
- b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

12. Lease Agreement With Hughes Brothers Aircrafters, Inc., For A Parking Lot At 10920 Garfield Place

The City Council unanimously approved A, B and C by motion of Council Member Davila and seconded by Council Member Rios.

- a. Approved the Notice of Exemption on an environmental finding of Categorical Exemption for the property at 10920 Garfield Place for a five (5) year term; and
- b. Approved the Lease Agreement (Contract 3437) with Hughes Brothers Aircrafters, Inc., for a parking lot at 10920 Garfield Place; and
- c. Authorized the Mayor to execute the Lease Agreement in a form acceptable to the City Attorney.

13. Resolution Approving Parcel Subdivision Of The Hollydale Resource Center Located At 12221 Industrial Way For A Dedicated Electrical Service Line

The City Council unanimously approved A and B during consideration of the Consent Calendar.

- a. Resolution No. 7809 entitled – A Resolution of the City Council of the City of South Gate, California, approving Parcel subdivision of the property located at 12221 Industrial Avenue, South Gate, California, (APN No. 6243-026-900) to subdivide the parcel into two parcels to secure a dedicated electrical service line from Southern California Edison for the Hollydale Resource Center and authorizing the Mayor to

execute the Grant Deed in a form acceptable to the City Attorney to subdivide this property; and

b. Directed the City Clerk to record the Parcel subdivision with the Los Angeles County Recorder's office.

14. Minutes

The City Council unanimously approved A and B during consideration of the Consent Calendar.

a. The Special and Regular Meeting minutes of March 13, 2018; and

b. The Special Joint Meeting of the City Council, Housing Authority, & Successor Agency to the Community Development Commission of the City of South Gate minutes of March 13, 2018.

IX. Reports, Recommendations And Requests

15. Resolution Renaming The South Gate Swim Stadium As The "Patricia G. Mitchell Swim Stadium"

The City Council unanimously approved A and B by motion of Council Member Davila and seconded by Mayor Bernal.

a. Adopted Resolution No. 7811 entitled - A Resolution of the City Council of the City of South Gate, California, naming the South Gate Swim Stadium as the "Patricia G. Mitchell Swim Stadium"; and

b. Appropriated \$500 for purchase of the sign and direct staff to place signage at the entrance to the "Patricia G. Mitchell Swim Stadium."

16. "Mid-Year" Budget Review

The City Council approved 1, 2, 3, 4, 5, 6, and 7 by motion of Mayor Bernal and seconded by Council Member Davila. Vice Mayor Morales was absent.

1. Received and filed the mid-year budget report for fiscal year 2017/18;

2. Appropriated \$95,000 from the unassigned General Fund balance to account no. 100-603- 41-6101 for completion of the Gateway District and Tweedy Mile Specific Plans;

3. Appropriated \$30,000 from the unassigned General Fund balance to account no. 100-461-61-6701 for replacement of tables and chairs at the South Gate Auditorium;

4. Appropriated \$60,000 from the unassigned General Fund balance to account no. 711-2229 for hosting the 2018 California Contract Cities Association Annual Conference;

5. Appropriated \$55,000 from the unassigned Gas Tax Fund balance to account no. 212-713-31-6701 for re-wiring of light fixtures on Alameda Street;

6. Appropriated \$75,000 from the unassigned Prop C Fund balance to account no. 222-780-31-9400 for the replacement of three damaged traffic signal poles; and

7. Appropriated \$250,000 from the unassigned Water Fund balance to account no. 411-731-71-9573 for the California Avenue Water Main project.

17. Presentation Of The New Home Beautification Program

The City Council considered providing staff with direction regarding the proposed Home Recognition Program.

This item was moved to the Special City Council Meeting of May 4th.

18. Warrant Register For April 24, 2018

The City Council approved the Warrants and Cancellations for April 24, 2018 by the motion Council Auditor Davila and seconded by Council Member Rios. Vice Mayor Morales was absent.

Total of Checks: \$2,655,830.09

Voids: (\$ 2,722.87)

Total of Payroll Deductions: \$ 396,959.83

Grand Total: \$2,256,147.39

Cancellations: 76752

X. Adjournment

Mayor Bernal adjourned the meeting at 10:02 p.m. and seconded by Council Member Davila.

PASSED and APPROVED this 22nd day of May, 2018.

For a signed copy of the minutes for this meeting please contact the City Clerk's Office:
8650 California Avenue, South Gate, California 90280
(323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org