

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

**Tuesday, June 12, 2018**

6/12/2018 - Minutes

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

**CALL TO ORDER** Mayor María Belén called a Regular City Council meeting to order at 6:30 p.m.

**INVOCATION** Pastor Bobby Scott of the Community of Faith Bible Church

**PLEDGE OF**

**ALLEGIANCE** Angie Ines, Tweedy Elementary School Principal

**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 Manager Michael Flad, City Attorney Raul Salinas

**LATE** City Treasurer Gregory Martinez arrived at 7:19 p.m.

**III. Meeting Compensation Disclosure**

**IV. Proclamations, Certificates, Introductions And Ceremonial Actions**

**1. Certificates Of Appreciation To Tweedy Elementary School For Receiving A Grant From Turnaround Arts Program-California**

The City Council presented a Certificate of Appreciation to Tweedy Elementary School for being selected to receive grant funds from Turnaround Arts California to enhance their arts programs.

**2. Certificates Of Appreciation To The SEHS Boys Basketball Team For Winning The City Section Division 3 Championship**

The City Council presented Certificates of Appreciation to members of the South East High School Boys Varsity Basketball team for winning the City Section Division 3 Basketball Championship on March 1, 2018.

**3. Certificates Of Appreciation To 5 Sponsors Of The Spring Fit 5K**

The City Council presented Certificates of Appreciation to the sponsors of 2018 Spring Fit 5K in recognition of their generous donations for the event.

This item was continued to the July 10, 2018 City Council Meeting by motion of Mayor Bernal and seconded by Council Member Davila.

**4. Certificate Of Appreciation To Anna Hall, Retiring Teacher Of SG Middle**

## **School - 30 Years**

The City Council presented a Certificate of Appreciation to retiring teacher Anna Hall from South Gate Middle School for 30 years of dedicated service.

## **V. Public Hearings**

### **5. Resolution To Adopt Municipal Budget For Fiscal Year 2018/19**

The City Council approved a, b, c, d as amended by motion of Council Member Rios and seconded by Vice Mayor Morales.

- a. Heard additional presentations on the proposed Fiscal Year 2018/19 Municipal Budget from the City Manager and Director of Administrative Services;
- b. Opened the Public Hearing, took public testimony and closed the Public Hearing;
- c. Approved the personnel changes as described in this Agenda Bill; and
- d. Adopted Resolution No. 7815 entitled – Resolution of the City Council of the City of South Gate approving the Fiscal Year 2018/19 Municipal Budget.

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

AMENDMENT: Approve the budget as presented placing the hourly position in the City Clerk's Office on hold until a report can be brought back to the City Council.

Mike Flad, City Manager gave a brief presentation on the Public Hearing process and the budget process for tonight's meeting.

Jackie Acosta, Director of Administrative Services gave a presentation on the budget and special funds.

Mayor Bernal opened the Public Hearing at 7:38 p.m.

Henry Gonzalez, 10210 Alexander Avenue is concerned with the balance on the PAC Funds.

Gil Hurtado, 10001 Frontage Road, Space 215 encouraged Council to go out and find resources for new projects so the Council does not have to dip into the City's budget.

Sandra Ochoa Rivera, 10218 Rosewood Avenue is happy to hear that there will be additional officers added to the Police Department. She feels that there are problems with crime, parking and the homeless in the City and would like to see more funds available to assist with these issues.

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 7:48 p.m.

Ms. Acosta responded to the question regarding the PAC budget and stated that there is about \$76,000.00 in that fund but planned expenditures for next year are just over \$50,000.00. We will be having a special meeting in the future to further discuss this item.

Art Cervantes, Public Works Director responded to the questions on parking. He stated that the City is currently conducting a parking study and that data will then go before Council for review. He stated that the current estimate is 50,000 cars owned in the City of South Gate and the number of available parking spaces on City streets is 30,000.

Council Member Rios asked if the community will be involved with the parking study.

Mr. Cervantes responded that not only are we going to have a formal committee but we are collecting information at community events and neighborhood watch meetings.

Vice Mayor Morales requested that the City Council be notified of the schedule of community events the consultant will be collecting data from.

Vice Mayor Morales stated that last year the Council adopted a budget of 47.9 million dollars but it was amended to 56.1 million dollars for expenditures. He requested details as was listed as none-departmental.

Ms. Acosta explained that this capital improvement projects have been funded with General Fund money. The amount of the budget increased because of the carryover of funds for these multi-year projects.

Vice Mayor Morales asked for clarifications on the short fall of 1.6 million dollars and it mentions that it will be funded through CalPERS rates. He asked if the 6 million dollars set aside for PERS is not being credited to the account this year.

Mr. Flad explained that we asked Council to set aside funds that are labeled PERS Fund. It is essentially a budget stabilizing fund. What is driving the majority of the budget shortfall is labor costs, what is driving your labor costs is PERS. Basically, it is setting aside money so that the City has 6 million dollars so it can be balanced for the next three years. The City has signed labor agreements with each of the bargaining units for the next three years and this money is to ensure that costs are covered.

Vice Mayor Morales stated that Council Member Davila had asked for data regarding the part time employee and the revenue being generated.

Ms. Acosta stated that it is expected to generate approximately \$7,000.00 and about \$5,000.00 this year as the program was not implemented until October/November. This is general fund revenue.

Council Member Davila asked where the money for the hourly clerical assistant will come from.

Ms. Acosta stated it is from the General Fund.

Vice Mayor Morales had concerns about this hourly position being funded with General Fund money. He would like to look at this again in six months to see if the program can bring in more money. He also would like to see if the forklift could be purchased with some type of grant money. He believes General Fund money should be used for investing for the City.

Mayor Bernal stated that she is in support of this position and would like to give the City

Clerk the opportunity to speak on what she is envisioning for this position.

Carmen Avalos, City Clerk stated that this position will actually bring the City Clerk's office back to the 2002 level. We did add the passport center and notary services. Our passports are actually the highlight for people outside our City, with people coming in from as far as San Bernardino County because they could not get an appointment for their passport. Yes, it is an increase to the cost as it is adding an extra individual but if you have ever sat in the City Clerk's Office you will recognize that we provide ample information to all patrons and we provide exceptional customer service which requires staff time. The primary responsibility of the position will be to handle phone calls, assist with the counter and handle all passport related matters. With every new passport application the City receives \$35.00 which goes directly to the General Fund. She noted that the matter should not become a diminishing opportunity to continue the degradation of her office and was disappointed that the matter was not about equity to the public but an attack on her and the Office of the City Clerk.

Council Member Rios asked Chief Davis when hiring the new officers there was mentioned of a cost savings on overtime. Is this savings going to the General Fund?

Chief Davis responded that the thought process behind the increases in officers staffing levels is to reduce the amount of overtime that is necessary to fill staffing vacancies. The Police Dept. relies on Asset Forfeiture Funds for a small portion of overtime but the vast majority is from the General Fund.

Mayor Bernal stated that she has noticed an increase in overtime in this year's budget and asked the City Manager what the \$12,000.00 overtime used for in the City Manager's Office.

Mr. Flad stated that we did a study of the Fair Labor Standards Act assessment of our employees that were not given overtime. We brought in outside counsel and they reviewed these positions and two positions were reclassified now to include overtime. There are a few positions that have been reclassified now and require us to pay overtime as part of the Federal laws.

Mayor Bernal asked if he was budgeting as a contingency or as a given.

Mr. Flad stated that it is budgeted based on our best estimates that the position will work attending the City Council meetings.

Mayor Bernal asked that once we approve the budget she would like to get an update on the amount of overtime spent this fiscal year. She would also like to receive quarterly reports on overtime by department.

Vice Mayor Morales stated that he is not comfortable approving the hourly position for the City Clerk's Office. If Customer Service is the goal of the City Council he feels that this position would be more beneficial in the Police Departmental or Community Development.

Mayor Bernal stated that neither of those Departments brought forth the request for additional staff and the City Clerk did. Mayor Bernal continued by stating that the overtime figures that actually over \$400,000.00 maybe that money can be used for staffing of new employees to cut costs.

Mr. Flad explained that there is discretionary and nondiscretionary overtime. If a police officer for example is sick tonight we do not leave that vacancy. We fill that vacancy with overtime. We have mandatory vacancies that are filled with overtime for the Police Department that is not found in other departments. This is similar with the Public Works Department. When we have large events or call outs they need to respond. For example if a tree branch falls on someone's home at 3:00 a.m. that would require overtime. When we are looking at discretionary overtime like the position in the City Manager's Office can you look at alternative

shifts, for example they would come in the office at 12:00 noon and then leave at 10:00 p.m. He will bring back a report overtime and discuss the different levels of overtime for each department.

Council Member Diaz would like to see the hourly position go to the City Clerk's Office but would like the position to include being responsible for interacting with the Public for information as well as processing the passports.

Council Member Davila agreed with the Vice Mayor and would like to see this hourly position to be more available to serve the public. She would like to see an information booth brought back to City Hall.

Greg Martinez, City Treasurer explained the history of the information booth and stated that he believed that this position is still here it was just moved to the City Manager's Office.

Mr. Flad stated that with his report to Council he will include a comparison to where the City was in staffing from 2002 to current.

Council Member Rios motioned to approve the budget but to hold off on filling the hourly until staff can bring back a report.

Mayor Bernal asked the City Attorney to repeat the motion for clarification.

The City Attorney stated that there was a motion made by Council Member Rios which was seconded by Vice Mayor Morales to approve the budget as presented but with respect to the one position in the City Clerk's Office which was a part time position to hold from moving forward until a report was brought back to the City Council.

**WALK-ON ITEM** City Attorney Salinas stated that the Brown Act allows us to walk-on an item when two requirements are met. In this case, we would like to add an item in closed session involving threatened litigation. The reason for adding this item to closed session is that it involves the potential resolution of two claims that may turn into subsequent law suits and the need to meet came up after the posting of the agenda. If we wait until the next scheduled meeting there is a possibility that we may lose the opportunity to resolve the case. The City Attorney's opinion is that the two conditions for walking on the item are satisfied under the law. It is required to have a motion made by one of the Council Members and seconded. Then we will have to have at least four Council Member vote in favor of the motion and so I would ask of the Council to consider making that motion and allow the public comment on that as well. After being approved the walk-on item can be heard at the discretion of the City Council later in the agenda.

Mayor Davila motioned to add the walk on item and seconded by Council Member Rios.

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

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

**6. Ordinance Amending And Replacing Chapter 11.51.030 (Review Types And Responsibilities), In Its Entirety And Adopting A Revised Discretionary Review Process And Revised Thresholds For Potential Developments Projects Citywide**

The City Council conducted a public hearing to consider waiving the reading in full and introducing an Ordinance - 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.

Mayor Bernal opened the Public Hearing at 9:11 p.m.

Diane Coronado, Building Industry Association on behalf of their membership she wanted to express their concerns with this item and feels it would add more hurdles to the building process.

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 9:17 p.m.

This item was unanimously continued to the July 10, 2018 City Council Meeting by motion of Mayor Bernal and seconded by Council Member Davila.

**7. Ordinance Amending Certain Sections Of Chapter 11.15 Of Title 11 (Zoning) Allowing Fitness Facilities In The C-2 (Restricted Commercial) Zone With Approval Of A Conditional Use Permit**

The City Council conducted a public hearing, waived the reading in full and unanimously introduced Ordinance No. 2350 entitled – Ordinance of the City Council of the City of South Gate amending Chapter 11.15 (C-2 Restricted Commercial Zone) Section 11.15.010 (Permitted Uses) of Title 11 (Zoning), of the South Gate Municipal Code to allow fitness facilities with the approval of a Conditional Use Permit by motion of Vice Mayor Morales and seconded by Mayor Bernal.

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

Mayor Bernal opened the Public Hearing at 9:18 p.m. and asked if anyone from the audience would like to speak on this item.

Kevin Cohan, Elevated Development representing Chuze Fitness is looking forward to bringing his business to South Gate.

Virginia Johnson, 5751 McKinley Avenue stated that this does not appear to be like the

one in her neighborhood and the presentation was very nice. There are a lot of homes and businesses nearby and our particular Zumba fitness Studio on Garfield Avenue has blaring music at various times of the morning, afternoon and evening which can disturb other residents and businesses.

Mr. Burns, Hopedale Property LP stated that as a real estate developer and investor we consider purchasing certain properties and do our due diligence. The intention of purchasing property on the Tweedy Mile sub area we were looking for a business that accommodates the area.

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 9:37 p.m.

Vice Mayor Morales is concerned about the noise from the parking lot for the residents if the business is open 24 hours on 5 days out of the week. He would like to see some kind of buffer between the parking lot and the residential properties.

Mr. Perez stated that these concerns are operational issues that would be addressed as part of the Conditional Use Permit process that if the ordinance gets approved would go back to the Planning Commission for the next stage of the process.

Council Member Rios asked if there have been other offers on the property since it is in prominent location on Tweedy Boulevard but has been vacant for some time.

Mr. Burns stated that they have had several interested parties but we chose Chuze Fitness. We felt that this was a beneficial project for all parties concerned because it something that works with the area.

Council Member Rios asked what is the demographic of the business.

Melissa, Chief Administration Officer for Chuze Fitness stated that their demographic is about 55% female, 45% male and range in age from about 16 years old to 90 years old.

Council Member Rios asked the representative what is the difference between LA Fitness and Chuze Fitness.

Melissa responded a major difference is the culture, we are very welcoming. We also consider ourselves as the cleanest gym in the world. Our employees and members come first and this sets us apart from our competitors.

### **8. Ordinance Amending Sections Of Chapter 11.21 Of Title 11 (Zoning) To Add Footnote For The Expansion Of An Existing Public Storage Facility At 5951 Firestone Boulevard Onto The Adjoining Parcel At 5949 Firestone Boulevard**

The City Council conducted a public hearing and unanimously adopt Resolution No. 7816 entitled - Resolution of the City Council of the City of South Gate amending Resolution No. 7345 by adding Light Industrial/Flex as a Place Type for District El Paseo/South Gate Towne Center - Sub Area 1 to the South Gate General Plan No. 2035; and waiving the reading in full and introducing Ordinance No. 2351 entitled - Ordinance of the City Council of the City of South Gate, California, amending Sections 11.2 1.030 (Land Use Permissions Tables) Table 11.21.-4(A) (Footnotes Commercial Industrial Zones Allowed Land Uses) of Chapter 11.21 (Land Use Types) of Title 11

(Zoning), of the South Gate Municipal Code by motion of Council Member Davila and seconded by Mayor Bernal.

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

Mayor Bernal opened the Public Hearing at 9:44 p.m. and asked if anyone from the audience would like to speak on this item.

Ezra Hammer, Armbruster Goldsmith & Delvac, LLP Attorney representing NOVA stated that the property has unique challenges and is adjacent to the current storage area that they are looking to expand in the future. He thanked staff for their work on this item and is there to answer any questions that Council might have.

Andrew Rankin, NOVA Storage stated that they bought the facility in 2009 and will be investing 6 to 7 million dollars in order to build the addition.

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.

Mayor Bernal stated that this property shares a border with the City of Downey. Have we received any comments from Downey?

Mr. Perez responded that we have not.

### **9. Ordinance Repealing Chapter 7.76 (Residency Restrictions For Sex Offenders) Of Title 7 (Public Safety And Morals)**

The City Council waived the reading in full and unanimously adopted Ordinance No. 2352 entitled – Ordinance of the City Council of the City of South Gate repealing Ordinance No. 2257, Title 7 (Public Safety and Morals), Chapter 7.76 (Residency Restrictions for Sex Offenders), in its entirety, of the South Gate Municipal Code by motion of Council Member Davila and seconded by Mayor Bernal.

Raul Salinas, City Attorney gave a brief presentation on this item.

Mayor Bernal opened the Public Hearing and asked if anyone from the audience would like to speak on this item.

Virginia Johnson, 5751 McKinley Avenue asked if this means that sex offenders are now allowed to live within 100 to 200 feet of schools and asked for further explanation of this item.

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.

The City Attorney explained that this ordinance was approved in 2008 before the introduction of Jessica's law. Jessica's law is the state law that imposes limitations on where registered sex offenders that are on probation can reside. This City ordinance made it very difficult if not almost impossible for the offender to register in South Gate. There have been subsequent decisions by the court of appeals that affect the validity of this statute. There are still existing state laws that will control where a registered sex offender can live if they are on probation or parole. In the interim several cities have tried to enact similar statutes and were forced to repeal these statutes. Both the City of

Norwalk and the City of South Gate has been the subject of Federal Litigation and it did challenge the constitutionality of this ordinance based on existing state law and also based on recent judicial decisions. There is also Megan's law which allows the public reporting on where a registered sex offender do reside but in terms of the scope of our ordinance it is overly board and it rendered enforcement unconstitutional and thus we are encouraging the repeal of this statute to avoid future litigation against the city.

Randy Davis, Chief of Police described the current laws and how they are enforced in South Gate.

## **10. Resolution Amending The Schedule Of Fees For Residential Refuse Collection Rates For FY 2018/19**

EXCUSED FROM ITEM 10

Prior to the discussion of Item 10 Vice Mayor Morales abstained from this item due to a possible conflict of interest and left the dais.

The City Council conducted a public hearing and unanimously adopted Resolution No. 7817 entitled - Resolution of the City Council of the City of South Gate amending Resolution No. 7779 (Schedule of Fees), to apply a 3.62% increase to the residential refuse collection rates for Fiscal Year 2018/19 in accordance with provisions stipulated in the Franchise Agreement between the City of South Gate and USA Waste of California, Inc., dba Waste Management of Los Angeles., a Delaware Corporation, for Commercial/Industrial and Residential Refuse Collection and Recycling Services by motion of Mayor Bernal and seconded by Council Member Davila.

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

Mike Flad, City Manager gave a brief presentation on this item.

Mayor Bernal opened the Public Hearing and asked if anyone from the audience would like to speak on this item. Seeing no one step forward; Mayor Bernal closed the public hearing.

REJOINED MEETING

Vice Mayor Morales rejoined the Council prior to the discussion of the Consent Calendar.

## **VI. Comments From The Audience**

Carmen Avalos, City Clerk read into the record an email from Mr. Clifford Henderson that was received regarding the Memorial Day Ceremony and the lack of acknowledgement from City Officials on the contributions of the Junior ROTC Cadets.

Nick Godoy, 8611 San Gabriel Avenue spoke on the Memorial Day Ceremony and he felt it became a political event.

Olegario Maravilla, 9826 San Miguel Avenue thanked Council for their support of students and stated that he is opposed to the co-location of the Southeast High School with

Valiente Charter School (4th-8th grades).

Sylvia De Leon, 10100 Walnut Avenue spoke against the co-location of the Southeast High School with Valiente Charter School.

Gil Hurtado, 10001 W. Frontage Road, Space 215 came to speak on the budget but also is against the co-location of the Southeast High School with Valiente Charter School because of the age difference in the students.

Carmen Avalos, Volunteer Board Member of Valiente Charter School she feels that people are sometimes given inaccurate information. She stated that there will not be 4th and 5th grade students at the high school; however there will be 6th – 8th grade students. She is in support of the co-location of the Southeast High School with Valiente Charter School.

Virginia Johnson, 5751 McKinley Avenue she spoke in support of charter schools and was very familiar with one in Paramount. She also wished everyone a Happy Father's Day.

Sonia Maravilla spoke against the co-location of the Southeast High School with Valiente Charter School.

Max Maravilla, student of South East High School spoke against the co-location of the Southeast High School with Valiente Charter School. He is concerned about the safety of middle school students while on a high school campus. He is requesting that the City Council request the LAUSD Board to conduct a re evaluation of the co-location of these two schools.

Henry C. Gonzalez, 10210 Alexander Avenue spoke on the Council's obligation to represent the residents of South Gate and his past interactions with the Los Angeles Unified School District.

Angela Barajas, Parent of a South East High School student stated that this is causing stress for the South East High School students and is opposed for the co location of these two schools.

## **VII. Reports And Comments From City Officials**

Greg Martinez, City Treasurer stated that last weekend was the Tweedy Mile Street Fair and thanked City Staff for their support.

Carmen Avalos, City Clerk thanked Mr. Martinez for all the hard work that he put into the Street Fair. She also stated that the Police Department did a great job with their contributions to the street fair.

Ms. Avalos gave an update on the elections in Los Angeles County and that there is going to be a summit next month with the League of California Cities on the Public Record Requests.

Council Member Diaz attended the Safety Water Program meeting where they discussed a measure regarding a compliance price tag that will be added to the November ballot. She also attended the Environmental Quality Committee for the League of California Cities where they discussed support for a water bond that would also be on the November ballot.

Council Member Rios stated that the South Coast Air Quality Board will be hosting a meeting at South Gate Park and the public is welcomed. He was also recently appointed to the Metro Gateway Cities Service Council and this board will be looking at rerouting the bus routes to align with Metro.

Council Member Davila reported that the COG will be having a summit in Catalina and the Mayor and Council Member Davila will be attending. Council Member Davila stated that she will be facilitating a workshop on housing. She also attended the Eco Rapid Transit and the South East Water Coalition meetings. The Tweedy Mile Street Fair was very well organized and kept very clean. She thanked Mr. Martinez and the Police Department for their great work.

Council Member Davila stated that a few meetings ago she reported that she attended the LAUSD board meetings regarding the co-location of South East High School and Valiente Charter School. Valiente Charter School is being offered 8 rooms on the third floor but all these rooms are full. She agrees with the parents that they need a different location. She does not think that it was right for LAUSD to give this school site to Valiente and would like the Mayor to consider sending a letter in support of what the parents are asking for.

Vice Mayor Morales attended the California League of Cities and there was a presentation on Keep California Safe Initiative that will be on the November ballot. The City of South Gate is in support of this initiative. He will be on vacation with his family and will not be attending the City Council meeting of June 26th.

Mayor Bernal stated she attended the Los Angeles County Sanitation District meeting where they received an update on a new tunnel that would run through the City of Carson to the ocean.

Mayor Bernal stated that she is a supporter of good education, whether it is public, private or charter. She did meet with the Area Superintendent and the Director of Instruction for LAUSD on May 15th and she asked about the facts. She feels as a parent that she would not like her child to be on a high school campus. This is a larger conversation and we as City Council need to advocate for our residents. She asked staff to draft a letter that would voice our concerns.

Mayor Bernal requested that staff make recommendations on how the Memorial Day ceremonies will be coordinated next year and who will take the lead.

Lastly, Mayor Bernal spoke on the concerns of the public regarding comments she has made in the past meetings. She feels that things get twisted, especially on Social Media. She would like to call a meeting with the City Manager and City Attorney as there have been three members of this Council that have been attacked by these types of comments.

## **VIII. Consent Calendar Items**

Agenda Items 11, 12, 13, 14 and 15 were unanimously approved by motion of and seconded by Vice Mayor Morales.

### **11. Ordinance No. 2349 Adding New Section 11.28.040 (Title) To Chapter 11.28 (Specific Plans) Of Title 11 (Zoning) Modifying Precise Plan No. 18 And Site Plan No. 283 For 9923 Atlantic Avenue**

The City Council waived the reading in full and unanimously adopted Ordinance No. 2349 entitled – Ordinance of the City Council of the City of South Gate adding new

Section 11.28.040 (Southwest Corner of Atlantic Avenue and Tweedy Boulevard), to Chapter 11.28 (Specific Plans), to Title 11 (Zoning), of the South Gate Municipal Code modifying Precise Plan No. 18 and Site Plan No. 283 for 9923 Atlantic Avenue during consideration of the Consent Calendar.

**12. Resolution Approving And Adopting The Annual Gann Appropriations Limit For Fiscal Year 2018/19**

The City Council unanimously adopted Resolution No. 7818 - approved and adopted the annual Gann Appropriations Limit for Fiscal Year 2018/19 during consideration of the Consent Calendar.

**13. Groundwater Pumping Rights Lease Agreement With Rockview Dairies, Inc. For 30 Acre-Feet Of Water Rights**

The City Council unanimously approved a and b during consideration of the Consent Calendar.

a. The Groundwater Pumping Water Rights Lease Agreement (Contract 3445) with Rockview Dairies, Inc., to lease 30 acre-feet of the City's water rights to Rockview Dairies, Inc; and

b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney.

**14. Agreement With CJ Concrete Construction For Citywide Sidewalk Improvement Project, Phase V And Walnut Street Parking Lot Improvements, City Project No. 566-ST**

The City Council approved a, b, c, and d during consideration of the Consent Calendar.

a. An Agreement (Contract 3446) with CJ Concrete Construction, Inc., to construct the Citywide Sidewalk Improvements Project, Phase V and the Walnut Street Parking Lot Improvements, City Project No. 566-ST, in an amount not-to-exceed \$686,538;

b. Authorized the Mayor to execute the Agreement in a form acceptable to the City Attorney;

c. Authorized transferring \$282,225 from the Building and Infrastructure Maintenance Fund (Account No. 524 fund balance) to The Walnut Street Parking Lot, City Project No. 566 ST, "SCHEDULE B", (Account No. 311-790 39-9469) to fully fund the project; and

d. Approved the Notice of Exemption for the construction of the Citywide Sidewalk Improvement Project, Phase V and the Walnut Street Parking Lot Improvements, City Project 566-ST and directing the City Clerk to file it with the Los Angeles County Recorder's Office.

**15. Minutes**

The City Council unanimously approved the Special and Regular Meeting minutes of May 22, 2018 during consideration of the Consent Calendar.

Carmen Avalos, City Clerk stated that date for the minutes is for May 8, 2018 not May 22, 2018.

## **IX. Reports, Recommendations And Requests**

### **16. Presentation On The City Street Sweeping Evaluation Results And Proceed To Outsource The Street Sweeping Program**

The City Council considered:

- a. Receiving and filing a presentation from the Director of Public Works/City Engineer on the results of the Street Sweeping Evaluation Project Report; and
- b. Approving "Alternative No. 2 - Outsourcing the Street Sweeping Program" and authorizing the Director of Public Works/City Engineer to procure a contract for street sweeping services starting in Fiscal Year 2018/19.

This item was unanimously continued to the July 10, 2018 City Council Meeting by motion of Mayor Bernal and seconded by Council Member Davila.

### **17. Expectations And Goal Setting**

The City Council considered discussing and providing input on the following strategic planning topics:

- a. City Council expectations of staff;
- b. How the City Council works together; and
- c. City Council goals for Fiscal Year 2018/19.

This item was unanimously continued to the July 10, 2018 City Council Meeting by motion of Mayor Bernal and seconded by Council Member Davila.

### **18. 2008 Parks & Recreation Master Plan 10 Year Update And Direction Regarding Bonds**

The City Council considered:

- 1) Approving the draft report for the Parks & Recreation Master Plan ten-year update; and
- 2) Adopting the additional recommendations by the Parks & Recreation Commission as included in the report; and
- 3) Directing staff to explore local funding options such as a local Parks bond measure and the implementation of a Quimby Ordinance and return with recommendations for consideration by the City Council.

This item was unanimously continued to the July 10, 2018 City Council Meeting by motion of Mayor Bernal and seconded by Council Member Davila.

### **19. Warrant Register For June 12, 2018**

The City Council unanimously approved the Warrants and Cancellations for June 12, 2018 by motion of Council Auditor Davila and seconded by Mayor Bernal

Total of Checks: \$3,411,690.10  
Voids: (\$ 7,045.42)

Total of Payroll Deductions: \$ 558,259.94  
Grand Total: \$2,846,384.74

Cancellations: 76121, 77478 and various stale dated checks as listed in the Staff Report.

## **X. Adjournment**

Mayor Bernal unanimously adjourned the meeting at 11:22 a.m. and seconded by Council Member Davila.

**PASSED** and **APPROVED** this 10th day of July, 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](http://www.cityofsouthgate.org)