



## SOUTH GATE CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, March 12, 2019 at 6:30 p.m.

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

<b>CALL TO ORDER</b>	Maria Belen Bernal, Mayor
<b>INVOCATION</b>	Jerry Ruiz, Attorney
<b>PLEDGE OF ALLEGIANCE</b>	Veronica Ramirez, South Gate resident/student
<b>ROLL CALL</b>	Carmen Avalos, City Clerk

### II. City Officials

<b>MAYOR</b> Maria Belen Bernal	<b>CITY CLERK</b> Carmen Avalos
<b>VICE MAYOR</b> Jorge Morales	<b>CITY TREASURER</b> Gregory Martinez
<b>COUNCIL MEMBERS</b> Denise Diaz Maria Davila Al Rios	<b>CITY MANAGER</b> Michael Flad  <b>CITY ATTORNEY</b> Raul F. Salinas

### III. Meeting Compensation Disclosure

Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by City Council Members is \$650 monthly regardless of the amount of meetings.

### IV. Proclamations, Certificates, Introductions And

---

## **Ceremonial Actions**

### **1. Proclamation Declaring March As American Red Cross Month Recognizing Volunteers And Donors Who Help Those In Need**

The City Council will issue a Proclamation declaring March 2019 as American Red Cross Month recognizing volunteers and donors who give of their time and resources to help those who need a helping hand. (ADMIN)

Documents:

[ITEM 1 REPORT 031219.PDF](#)

### **2. Certificate Of Appreciation To Veronica Ramirez For Participating In Mayor Bernal's South Gate Mentors Initiative In February**

The City Council will issue a Certificate of Appreciation to Veronica Ramirez for participating in Mayor Bernal's South Gate Mentors Initiative during the month of February. (ADMIN)

Documents:

[ITEM 2 REPORT 031219.PDF](#)

### **3. Certificates Of Appreciation To The South Gate Aztec Jr. Varsity Cheer Team For Winning The National Championship**

The City Council will present Certificates of Appreciation to the South Gate Aztec Jr. Varsity Cheer Team for winning their respective championship titles at the 2018-2019 JAMZ National Cheer & Dance Competition. (ADMIN)

Documents:

[ITEM 3 REPORT 031219.PDF](#)

## **V. Public Hearings**

### **4. Ordinance Repealing Interim Urgency Ordinance Nos. 2336 & 2338 In Their Entirety And Adding New Chapter 11.43 (Accessory Dwelling Units And Accessory Structures), To Title 11 (Zoning), Of The Municipal Code**

The City Council will conduct a Public Hearing to consider waiving further reading in full and introducing an **Ordinance** \_\_\_\_\_ repealing Interim Ordinance Nos. 2336 and 2338 in their entirety and adding new Chapter 11.43 (Accessory Dwelling Units and Accessory Structures), to Title 11 (Zoning), of the South Gate Municipal Code. (CD)

Documents:

[ITEM 4 REPORT 031219.PDF](#)

### **5. Ordinance Amending Section 1.59.040 (Issuance Of Administrative Citation; Contents Thereof) To Provide Immediate Imposition Of Administrative Fines For Violation Of Illegal Cultivation Of Cannabis**

The City Council will conduct a public hearing to consider waiving the reading in full and introducing an **Ordinance** \_\_\_\_\_ amending Section 1.59.040 (Issuance of Administrative Citation; Contents Thereof), Chapter 1.59 (Administrative Citations) of Title 1 (Administration and Personnel), of the South Gate Municipal Code, to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis. (CD)

Documents:

[ITEM 5 REPORT 031219.PDF](#)

### **6. Community Development Block Grant Allocations For Fiscal Year 2019/20**

The City Council will conduct a public hearing to consider: (CD)

- a. The recommended Citizen's Advisory Committee's list of proposed projects and allocations for Community Development Block Grant funds for fiscal year 2019/20; and
- b. Determining the amounts to be appropriated per project from the estimated \$1,500,000 Community Development Block Grant funding for fiscal year 2019/20.

Documents:

[ITEM 6 REPORT 031219.PDF](#)

## **VI. 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.

## **VII. 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.

## **VIII. Consent Calendar Items**

Agenda Items **7, 8, 9, 10, 11, and 12** 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. Ordinance No. 2359 Adding New Section 11.28.030 (Tweedy Boulevard Specific Plan), To Chapter 11.28 (Specific Plans), Of Title 11 (Zoning), Of The Municipal Code; Resolution Approving General Plan Amendment No. 2019-01 By Adding Place Types; And Resolution Approving The Initial Study And Negative Declaration**

The City Council will consider: (CD)

a. Waiving the reading in full and adopting Ordinance No. 2359 adding new Section 11.28.030 (Tweedy Boulevard Specific Plan), to Chapter 11.28 (Specific Plans), of Title 11 (Zoning), of the South Gate Municipal Code;

b. Adopting a **Resolution** \_\_\_\_\_ approving General Plan Amendment No. 2019-01 by adding place types "Light Industrial/Flex and Manufacturing Distribution" to the Tweedy Educational District and changing the residential General Plan designation of a portion of the General Plan area from Neighborhood-Low to Neighborhood Medium; and

c. Adopting a **Resolution** \_\_\_\_\_ approving the Initial Study and Negative Declaration, dated April 19, 2017, pertaining to the Tweedy

Boulevard Specific Plan.

Documents:

[ITEM 7 REPORT 031219.PDF](#)

### **8. Professional Services Agreement With Utility Cost Management LLC For Auditing Of The City's Electric Bills**

The City Council will consider: (ADMIN SVCS)

- a. Approving a Professional Services Agreement (**Contract No.** \_\_\_\_\_) with Utility Cost Management LLC for auditing of the City's electric bills; and
- b. Authorizing the Mayor to execute the Professional Services Agreement in a form acceptable to the City Attorney.

Documents:

[ITEM 8 REPORT 031219.PDF](#)

### **9. Notice Of Completion For The City Hall Lighting Improvements**

The City Council will consider: (PW)

- a. Accepting completion of construction of the South Gate City Hall Lighting Improvements, City Project No. 502-ARC, effective January 8, 2019; and
- b. Directing the City Clerk to file a Notice of Completion with Los Angeles County Recorder's Office.

Documents:

[ITEM 9 REPORT 031219.PDF](#)

### **10. Notice Of Completion For The Hollydale Resource Center Electrical Upgrades**

The City Council will consider: (PW)

- a. Accepting completion of construction of the Hollydale Resource Center Electrical Upgrades, City Project No. 516-ARC, effective February 20, 2019; and
- b. Directing the City Clerk to file a Notice of Completion with Los Angeles County Recorder's Office.

Documents:

[ITEM 10 REPORT 031219.PDF](#)

## **11. Letters To The City Of Downey Protesting The Proposed Housing Development At The Former American Legion Site, Located At 11269 Garfield Avenue**

The City Council will consider: (CD)

- a. Authorizing the Mayor to execute the letter to the City of Downey protesting the Request for Proposals for a proposed housing development at the County-owned property, former American Legion Site, located at 11269 Garfield Avenue and expressing concerns regarding the Notice of Preparation of a Draft Program Environmental Impact Report for the proposed Rancho Los Amigos South Campus Specific Plan; and
- b. Directing the City Manager or his designee to execute the letter to the City of Downey stating the City of South Gate's concerns regarding the Notice of Preparation of a Draft Program Environmental Impact Report for the proposed Rancho Los Amigos South Campus Specific Plan; and
- c. Directing the City Manager to send the two aforementioned letters to the City of Downey.

Documents:

[ITEM 11 REPORT 031219.PDF](#)

## **12. Minutes**

The City Council will consider approving the Special and Regular Meeting minutes of February 12, 2019. (CLERK)

Documents:

[ITEM 12 REPORT 031219.PDF](#)

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

### **13. Funding Appropriations For The Capital Improvement Program For Fiscal Year 2018/19**

The City Council will consider: (PW)

- a. Appropriating \$133,000 in General Funds to the Capital Improvement Program to fully fund the City Hall Complex Improvements and Firestone Boulevard Median Island;
- b. Appropriating \$1,779,200 in grant funds and \$4,901,284 in other funds to the Capital Improvement Program for existing projects as shown in Attachment A; and

c. Directing the Director of Administrative Services to transfer \$31,709 from Auto/Rolling Stock Account No. 223-610-49-9003 to the Electric Vehicle Charging Stations Project No. 636-GEN Account No. 223-610-49-9005.

Documents:

[ITEM 13 REPORT 031219.PDF](#)

#### **14. Warrant Register For March 12, 2019**

The City Council will consider approving the Warrants and Cancellations for March 12, 2019. (ADMIN SVCS)

Total of Checks: \$2,147,852.93  
Voids: (\$ 1,801.85)  
Total Payroll Deductions: \$ 370,521.94  
Grand Total: \$1,775,529.14

Cancellations: 80528, 81046, 81266, 81525, 81549, 81701

Documents:

[ITEM 14 REPORT 031219.PDF](#)

### **X. Adjournment**

I, Carmen Avalos, City Clerk, certify that a true and correct copy of the foregoing Meeting Agenda was posted March 7, 2019 at 8:33 a.m., as required by law.

Carmen Avalos,  
City Clerk

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](http://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.

**RECEIVED**

MAR 6 2019

*City of South Gate*

**Item No. 1**

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

11:15am

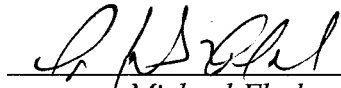
CITY COUNCIL

**AGENDA BILL**

For the Regular Meeting of: March 12, 2019

Originating Department: Administration

City Manager:

  
Michael Flad

City Manager:

  
Michael Flad

**SUBJECT: PROCLAMATION DECLARING MARCH AS AMERICAN RED CROSS MONTH**

**PURPOSE:** This item was added to the Agenda at the request of Mayor María Belén Bernal to declare March as American Red Cross Month to join the efforts in recognizing Red Cross volunteers and donors.

**RECOMMENDED ACTION:** Mayor María Belén Bernal will issue a Proclamation declaring March 2019 as American Red Cross Month recognizing volunteers and donors who give of their time and resources to help those who need a helping hand.

**FISCAL IMPACT:** None.

**ANALYSIS:** None.

**BACKGROUND:** The month of March has been recognized as American Red Cross month since 1943 when President Franklin D. Roosevelt declared it to encourage Americans to support and donate to the American Red Cross.

The American Red Cross is a humanitarian organization that provides emergency assistance, disaster relief and disaster preparedness. Every year, the American Red Cross responds to an average of more than 62,000 disasters across the country, to assist with small home fires to devastating massive disasters. During the month of March, people are encouraged to become a volunteer with the American Red Cross, donate blood and learn lifesaving skills such as first aid and cardiopulmonary resuscitation (CPR).

The City Council encourages citizens to recognize and thank American Red Cross volunteers and donors for their time and resources to the community.

**ATTACHMENT:** Proclamation.



# City of South Gate



From the Honorable  
**Mayor**

## PROCLAMATION

*Declaring*

### **March 2019 as American Red Cross Month**

**WHEREAS,** more than 137 years ago, the American Red Cross was established as a humanitarian organization, guided by seven fundamental principles which include humanity, impartiality and independence to provide services to those in need regardless of race, religion, gender, sexual orientation or citizenship status; and

**WHEREAS,** each year, the American Red Cross responds to an average of more than 62,000 disasters across the country, to assist with small home fires to devastating massive disasters; and

**WHEREAS,** last year, the America Red Cross assisted with mudslides in California, the volcano eruption in Hawaii, wildfires in Colorado and California, destructive hurricanes in Florida and the Carolinas, and the devastating typhoon in U.S. territories, by providing around-the-clock shelter for disaster victims, serving millions of meals and snacks with partners, and distributing millions of relief items; and

**WHEREAS,** every day the American Red Cross delivers its mission to prevent and alleviate human suffering in the face of life's emergencies with the help of reliable, dedicated and selfless volunteers; and

**WHEREAS,** the American Red Cross shelters, feeds and provides emotional support to victims of disasters, supplies about 40 percent of the nation's blood, teaches skills that save lives, provides international humanitarian aid, and supports military members and their families;

**NOW, THEREFORE,** be it proclaimed on this 12<sup>th</sup> day of March 2019, that I, **María Belén Bernal, Mayor of the City of South Gate**, on behalf of the City Council, do hereby declare March 2019 as American Red Cross Month and encourage citizens to recognize and dully thank American Red Cross volunteers and donors who give of their time and resources to help those who need a helping hand.

13/  
\_\_\_\_\_  
Mayor María Belén Bernal

**RECEIVED**

**Item No. 2**

MAR 4 2019

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

9:15am

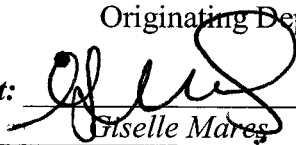
**City of South Gate**  
CITY COUNCIL

**AGENDA BILL**

For the Regular Meeting of **March 12, 2019**

Originating Department: **Administration**

Management Assistant:

  
Giselle Mares

City Manager:

  
Michael Flad

**SUBJECT: CERTIFICATE OF APPRECIATION TO MAYOR MENTEE FOR THE MONTH OF FEBRUARY**

**PURPOSE:** To acknowledge International Studies Learning Center student Veronica Ramirez for her participation in Mayor Mariá Belén Bernal's South Gate Mentors Initiative.

**RECOMMENDED ACTION:** Mayor Mariá Belén Bernal will issue a Certificate of Appreciation to Veronica Ramirez for participating in Mayor Bernal's South Gate Mentors Initiative during the month of February.

**FISCAL IMPACT:** None.

**ANALYSIS:** None.

**BACKGROUND:** As part of Mayor Bernal's South Gate Mentors Initiative, a group of students will work with the Mayor and other local professionals in a one-on-one mentorship relationship. The goal of the initiative is to have young people in the community enhance their personal and professional development, increase their knowledge about City government and resources, and become more civically engaged by attending local events. This initiative is an attempt to help ensure that our local young people have access to a mentor they can relate to and learn from.

Topics discussed during meetings include: advice about career path, goal setting and long-term planning, managing time more effectively, school/life balance, self-confidence and perception, and how personal values influence the professional.

Research confirms that quality mentoring relationships have powerful positive effects on young people in a variety of academic, personal and professional situations; connects youth to personal growth and development; as well as provides social and economic opportunity.

**ATTACHMENT:** None.

RECEIVED

MAR 6 2019

City of South Gate  
CITY COUNCIL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

9:40am

AGENDA BILL

For the Regular Meeting of: March 12, 2019

Originating Department: Administration

Management Assistant:

*Giselle Mares*  
Giselle Mares

City Manager:

*Michael Flad*  
Michael Flad

**SUBJECT: CERTIFICATES OF APPRECIATION TO SOUTH GATE AZTEC JR. VARSITY CHEER TEAM FOR WINNING THE NATIONAL CHAMPIONSHIP**

**PURPOSE:** This item was added to the Agenda at the request of Mayor María Belén Bernal to recognize outstanding youth for their achievements in the 2018-2019 JAMZ National Cheer & Dance Competition.

**RECOMMENDED ACTION:** Mayor María Belén Bernal will present Certificates of Appreciation to the South Gate Aztec Jr. Varsity Cheer Team for winning their respective championship titles at the 2018-2019 JAMZ National Cheer & Dance Competition.

**FISCAL IMPACT:** None.

**ANALYSIS:** None.

**BACKGROUND:** The South Gate Aztec Youth Football and Cheer program has been part of the community for over 30 years. Aztec Football and Cheer is an all-volunteer non-profit organization and provides youth sports opportunities for boys and girls in partnership with the Parks & Recreation Department. A group of volunteers came together with a common goal to create an environment that upholds the ideals of sportsmanship, teamwork, academics, physical well-being, motivation, inspiration, skills development, and above all to bring families together in the South Gate community.

After several successful regional competitions, the South Gate Aztec Jr. Varsity Cheer Team, their parents, coaches and families traveled to The Orleans Arena in Las Vegas for a 3-day National Cheer & Dance Competition, January 25 through 27, 2019. The results were phenomenal for the South Gate team taking the National Championship Title in Show Cheer for the third year in a row. Additionally, the team traveled to Walt Disney World for the Pop Warner Nationals and took 4<sup>th</sup> place in Pom in the entire nation.

For their outstanding dedication, awesome performances and for proudly representing South Gate, Mayor María Belén Bernal will present the following South Gate Aztec Jr. Varsity Cheer Team members with Certificates of Appreciation in recognition of their success:

**SOUTH GATE AZTEC JR. VARSITY CHEER TEAM**

**CHEERLEADERS:**

Chloe Gonzalez  
Emily Ramirez  
Zamantha Vega  
Mia Cuevas  
Anianna Cuevas  
Tyann Ramirez  
Syenna Navarro  
Kimberly Alvarado  
Leslie Mota  
Audrey Villalobos  
Kayla Diaz  
Angelica Solis  
Arianna Hernandez  
Ariana Ortiz  
Lilian Ortiz  
Joselyn Ramos  
Chassity Uvaldo  
Alyssa Guterrez  
Alyssa Tapis  
Melody Zendejas  
Isairis Dominguez  
Ivanna Gamez

**COACHES:**

Valerie Ramirez  
Lorena Ramirez  
Yadira Mata

**TEAM MANAGERS:**

Joaquin Ramirez  
Robert Vega

**ATTACHMENTS:** None.

RECEIVED

MAR 6 2019

Item No. 4

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

5:00pm

*City of South Gate*  
CITY COUNCIL

AGENDA BILL

For the Regular Meeting of March 12, 2019

Originating Department: Community Development

Department Director:

*Joe Perez*  
Joe Perez

City Manager:

*Michael Flad*  
Michael Flad

**SUBJECT: ORDINANCE REPEALING INTERIM URGENCY ORDINANCE NOS. 2336 AND 2338 AND ADDING NEW CHAPTER 11.43 (ACCESSORY DWELLING UNITS AND ACCESSORY STRUCTURES), TO THE MUNICIPAL CODE**

**PURPOSE:** To consider the proposed Ordinance regarding Accessory Dwelling Units that will permanently replace Interim Urgency Ordinance Nos. 2336 and 2338 (which is scheduled to expire on April 24, 2019) and comply with State law. When adopting the Urgency Ordinances, the City Council directed staff to study and develop permanent regulations that may be adopted prior to the April 24, 2019 expiration date. Unless the City adopts a permanent ADU Ordinance, the City will have no effective ordinance addressing ADUs. Without a permanent Ordinance in place, ADU applications will be processed by default under State regulations, resulting in a loss of City authority to process and apply standards for new ADUs.

This public hearing was continued from the February 26, 2019, regularly scheduled City Council meeting.

**RECOMMENDED ACTION:** Following the conclusion of the public hearing, waive further reading in full and introduce Ordinance repealing Interim Ordinance Nos. 2336 and 2338 in their entirety and adding new Chapter 11.43 (Accessory Dwelling Units and Accessory Structures), to Title 11 (Zoning), of the South Gate Municipal Code.

**FISCAL IMPACT:** None.

**ALIGNMENT WITH CITY COUNCIL GOALS:** The adoption of the proposed Ordinance supports the goal of creating and protecting strong and sustainable neighborhoods by enabling the City to apply standards and processes for the development of Accessory Dwelling Units in the City's residential neighborhoods.

**PUBLIC NOTIFICATION:** Advertising and notification of the public hearing for this item was conducted in compliance with Chapter 11.42, Title 11 of the South Gate Municipal Code. A legal notice was published in the "Los Angeles Wave" newspaper on February 14, 2019.

**ENVIRONMENTAL EVALUATION:** Adoption of the proposed Ordinance is exempt from the California Environmental Quality Act of 1970 ("CEQA"), as amended, pursuant to Public

Resources Code Section 21080.17, which provides that CEQA “does not apply to the adoption of an Ordinance by a city or county to implement the provisions of Sections 65852.1 or 65852.2 of the Government Code.” The proposed Ordinance is recommended for adoption to implement changes in Government Code Section 65852.2, and thus is exempt from CEQA’s environmental review requirements.

**ANALYSIS:** Effective January 1, 2017, the California state legislature adopted Government Code Section 65852.2, which made sweeping changes to state law regarding “accessory dwelling units” (formerly known as “second dwelling units”). Among other things, it required ministerial approval of applications for permits to construct alternative dwelling units, subject to certain specified conditions. Government Code Section 65852.2 effectively rendered void the City’s then-existing ordinance regarding applications for permits to construct accessory dwelling units, which called for discretionary approval rather than ministerial approval.

In response, the City Council, at its regularly scheduled meeting of April 25, 2017, adopted Urgency Ordinance No. 2336 to establish interim approval standards with respect to applications for alternative dwelling unit permits, and to identify procedures for ministerial approval of accessory dwelling units within the City, all as necessary to cause the City’s process for approving those applications to comply with Government Code Section 65852.2. Interim Urgency Ordinance No. 2336 was scheduled to expire on June 9, 2017, unless extended. Pursuant to Government Code Section 65858(b), the City Council was entitled to enact an extension to that Interim Urgency Ordinance in order to extend that Ordinance an additional 22 months and fifteen days. On May 23, 2017, the City Council adopted Interim Urgency Ordinance No. 2338, which extended Interim Urgency Ordinance No. 2336 through and including April 24, 2019. Furthermore, the City Council directed staff to study and develop permanent regulations that may be adopted prior to the April 24, 2019 expiration date.

In the intervening months, we have studied the degree to which those Interim Urgency Ordinances were effective in increasing the supply of housing in the City without adversely affecting the City’s other obligations and responsibilities to its residents. We have concluded that those Interim Urgency Ordinances have worked well, but could be modified slightly to improve their effectiveness. Accordingly, the proposed ordinance has been prepared. The redlined copy of the Ordinance Summary of Changes is attached hereto as Attachment B to indicate the manner in which it differs from the earlier Interim Urgency Ordinances. Attachment C also shows a summary of changes comparing the new ADU regulations with the prior original zoning regulations for Second Dwelling Units/Granny Flats. The new ADU Ordinance will completely replace the prior code.

The Proposed Ordinance is substantially the same as the Interim Urgency Ordinances and provides clean-up language designed to clarify the City’s ADU regulations. Provided below are key provisions in the proposed Ordinance:

***Minimum Lot Requirements***

- An ADU must be located within the Neighborhood Low (i.e. single-family) Zone.
- An ADU must be located on a lot that is equal to or larger than 6,000 square feet (unless the ADU is located entirely within the Main Dwelling).

- Only one ADU may exist on a lot.

#### ***Size of ADU***

- An ADU, whether attached, detached, or a part of the Main Dwelling will not have a gross floor area greater than six-hundred-forty (640) square feet or 30% of the area of the main structure, whichever is less.
- An ADU will contain no more than one bedroom.

#### ***Unit Size***

- An ADU shall not be less than two-hundred-forty (240) square feet in size or the minimum size for an efficiency unit.

#### ***Lot Coverage***

- The Main Dwelling and the ADU, together with all other structures, shall not exceed a total lot coverage of forty-five (45%) percent.

#### ***Location of New Construction***

- An ADU constructed apart from the Main Dwelling and not within an existing garage that is to be converted to residential use, must be located outside of all required setbacks and in the rear one-half of the lot.

#### ***Parking***

- One parking space will be provided per ADU and may be provided as tandem parking, including on an existing driveway or in setback areas, but excluding the non-driveway front yard setback.
- ADUs are exempt from parking standards if the ADU is:
  - Part of the existing Main Dwelling unit or an existing accessory structure that is not being removed to accommodate the ADU;
  - Located within one-half mile of a public transit stop;
  - Located within a historic district;
  - Located within an area where on-street parking permits are required but not offered to the occupant of the secondary unit; or
  - Located within one block of a dedicated car share space.

#### ***Replacement Parking***

- When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an ADU, replacement parking will be required and may be located in any configuration on the same lot as the ADU (except that replacement spaces are not allowed within the non-driveway front yard setback).
- Replacement spaces will be provided on the same lot as the ADU. The number of replacement spaces will be no fewer than the spaces that were removed.
- The minimum dimensions for any replacement spaces will be 10 feet by 20 feet.
- Parking spaces are required to be maintained in good order and repair and clear of all vegetation, equipment, trash, debris.

### ***Utilities***

- Separate utility connections are not required for ADUs contained within an existing Main Dwelling or existing accessory units.
- All other ADUs, including new ADU structures, are required to have new and separate utility connections.

### ***Ownership***

- An ADU must be under the same ownership as the remainder of the lot.
- An ADU may not be partitioned from the Main Dwelling or sold/transferred separately from the Main Dwelling.

### ***Continuous Owner Occupancy***

- Property owner must occupy either the ADU or Main Dwelling.
- One of the two dwelling units may be rented for a period of not less than thirty (30) days.

### ***Revocation of Permit***

- The circumstances and process for the revocation of an ADU permit are included in the proposed Ordinance.

## Survey of Surrounding Cities

Many cities nearby and statewide have adopted permanent ADU Ordinances or are also in the process of adopting permanent Ordinances with urgency Ordinances in place (see a survey of nearby cities (attached)). Most of these Ordinances have similar regulations for designated areas and zoning standards to help address issues of potential impacts of new housing development to adjacent lots and neighborhoods, street parking, and traffic. Similar to South Gate's proposed Ordinance, the surveyed cities for example: show zone restrictions to R-1 only; minimum lot sizes ranging from 5,000 to 10,000 square feet; and maximum ADU sizes ranging from 500 square feet to 1,500 square feet.

## South Gate Eligible ADU Properties

There are a total of 3,101 properties in the City that are eligible for ADUs based on the criteria in the Ordinance for properties 6,000 square feet or larger in the Neighborhood Low zone (See Map in Attachment G). There are a total of 12,306 properties in the City that are zoned Neighborhood Low, therefore the 3,101 represents 25% of all Neighborhood Low zoned properties. There are a total of 16,583 residential properties in the City, therefore the 3,101 represents 19% of all residential properties in the City.

## ADUs Approved and Built

Since the approval of the Urgency Ordinance in 2017, the City has received 109 ADU applications, with 60 applications approved for zoning, 40 building permits issued, 27 under construction, and 13 ADUs completed construction. This shows a strong interest in ADUs in the city and that the current regulations as proposed are providing adequate ability for residents to add significant numbers of ADUs in the city now and in the future.



There continues to be new proposed State legislation affecting ADUs that could affect cities' ability to regulate local approvals. Many bills introduced last year did not get approved, however there are at least three recently introduced bills being considered that could potentially affect the cities' ordinances. Any new legislation approved would then be addressed at a future time with any zoning amendments as necessary.

### Planning Commission Review

On February 21, 2019, the Planning Commission conducted a public hearing and adopted Resolution No. 2019-02 (attached), recommending that the City Council adopt the proposed ADU Ordinance with the following changes:

- **Minimum Lot Requirements (Section 11.43.030(I)(2)):** Reduce the minimum lot size for an attached/detached ADU from 6,000 square feet to 5,000 square feet. This increase would significantly increase the number of lots eligible for an ADU, the extent of which will be discussed later in this report. The Commission considered testimony from residents who owned lots and contractors who represented property owners with lots smaller than 6,000 square feet. The Commission also considered the average single family lot size in South Gate, which is approximately 5,763 square feet.
- **Gross Floor Area (Section 11.43.030(M)(6)):** Increase the maximum size of an ADU from 640 square feet or 30% of the main dwelling (whichever is less), to 640 square feet or 50% of the main dwelling (whichever is less). This increase would enable larger ADUs to be constructed.
- **Continuous Owner Occupancy (Section 11.43.030(H) and 11.43.050(D)):** Insert the word "continuous" in sections stating that an ADU may be rented for not less than 30 days. The new verbiage would read as follows: "The other dwelling unit may be rented for a period of not less than thirty (30) continuous days" and "That any rental of either the Main Dwelling or Accessory Dwelling Unit not occupied by a natural person who is an owner of the subject property or the beneficial interest holder must be for a term longer than thirty (30) continuous days."

The Commission also requested that the requirements included in the draft Ordinance proposed by Staff be communicated to the City Council. As a result, the attached draft Ordinance contains Staff's recommended requirements.

### City Council – Request for Additional Information

At its February 26, 2019 meeting, the City Council requested a visual depiction of the number of lots eligible for an ADU with thresholds of 5,000 and 6,000 square feet. Attached are maps displaying the following:

- All 12,306 lots within the Neighborhood Low Zone
- The 3,101 lots 6,000 square feet and larger
- The 4,584 lots 5,500 square feet and larger
- The 6,821 lots 5,000 square feet and larger

The Council also requested information regarding garages converted into living areas. The table below lists various unpermitted conversions since fiscal year 2014/15 through December 2018:

**Table 1 -Unpermitted Dwellings**

Fiscal Year	Garage Conversion	Improper Occupancy	Patio Conversion	Storage Room Conversion	Subdivided Dwelling	Total
FY 2014-15	140	20	1	4	39	204
FY 2015-16	118	13	2	4	16	153
FY 2016-17	93	22	1	9	19	144
FY 2017-18	91	13	0	8	9	121
FY 2018-19 (July 2018 - Dec 2018)	37	10	1	3	7	58
<b>TOTAL</b>	<b>479</b>	<b>78</b>	<b>5</b>	<b>28</b>	<b>90</b>	<b>680</b>

Table 2 below provides a summary of the types of ADUs that received building permits or were completed and finalized by the Building and Safety Division from January 2017 through February 2019:

**Table 2 - Approved ADUs (2017-2019)**

Year	ADU Status	Garage Conversion	Detached	Attached	W/in Main Dwelling	Total
2017	Permits Issued	0	1	0	0	1
	Completed	3	2	0	1	6
	<b>Subtotal</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>7</b>
2018	Permits Issued	8	9	0	1	18
	Finalized	3	3	1	0	7
	<b>Subtotal</b>	<b>11</b>	<b>12</b>	<b>1</b>	<b>1</b>	<b>25</b>
2019 (Jan-Feb)	Permits Issued	4	4	0	0	8
	Finalized	0	0	0	0	0
	<b>Subtotal</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>8</b>
<b>TOTAL 2017 - CURRENT</b>						
	Permits Issued	12	14	0	1	27
	Finalized	6	5	1	1	13
	<b>TOTAL</b>	<b>18</b>	<b>19</b>	<b>1</b>	<b>2</b>	<b>40</b>

**BACKGROUND:** The California Government Code for ADUs allows for cities to create their own Ordinances for ADUs to address their own local needs by designating certain areas or zones and related zoning regulations to protect the health, safety, and welfare of the community. These code sections in particular are: Section 65852.150(b) states “It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.”; Section 65852.2(a)(1) states “A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily use.”; and Section 65852.2(a)(1)(A) states that the ordinance shall “Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.” Therefore, the proposed Ordinance designates areas with reasonable zoning standards in the City that would best accommodate new ADU units.

**ATTACHMENTS:** A: Proposed Ordinance  
B: ADU Ordinance – Summary of Changes Redlined  
C: Survey of Nearby Cities  
D: Map of Lots in Neighborhood Low Zone  
E: Map of Eligible ADU Lots - 6,000 SF & Larger  
F: Map of Eligible ADU Lots - 5,500 SF & Larger  
G: Map of Eligible ADU Lots - 5,000 SF & Larger  
H: Planning Commission Resolution No. 2019-02  
I: Full Text of Government Code Section 65852.2

ORDINANCE NO. \_\_\_\_\_

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

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SOUTH GATE, CALIFORNIA, REPEALING INTERIM  
URGENCY ORDINANCE NOS. 2336 AND 2338 IN THEIR  
ENTIRETY AND ADDING NEW CHAPTER 11.43  
(ACCESSORY DWELLING UNITS AND ACCESSORY  
STRUCTURES), TO TITLE 11 (ZONING), OF THE SOUTH  
GATE MUNICIPAL CODE**

**WHEREAS**, effective January 1, 2017, California Government Code Section 65852.2 deemed null and void any existing ordinance that fails to provide an approval process that includes only ministerial provisions for the approval of Accessory Dwelling Units; and

**WHEREAS**, Government Code Section 65852.2 permits local governments to establish development standards for ministerial review of Accessory Dwelling Units and directs that Accessory Dwelling Units be approved subject to state standards when no local standards or process for accessory dwellings has been established; and

**WHEREAS**, Government Code Section 65858 permits cities to adopt interim procedures and criteria while studying potential permanent processes and zoning standards; and

**WHEREAS**, on April 25, 2017, the City Council adopted Interim Urgency Ordinance No. 2336 for the purpose of regulating Accessory Dwelling Units in the Neighborhood Low residential zone of the City of South Gate; and

**WHEREAS**, on May 23, 2017, the City Council adopted Interim Urgency Ordinance No. 2338, extending the term of Interim Urgency Ordinance No. 2336 through April 24, 2019; and

**WHEREAS**, the City Council finds that a permanent Ordinance regulating Accessory Dwelling Units in the Neighborhood Low residential zone of the City of South Gate is necessary for the public health, welfare and safety and residents, citizens, businesses and visitors of the City of South Gate; and

**WHEREAS**, the City Council finds that this permanent Ordinance No. \_\_\_\_\_ is consistent with the City's General Plan and not in conflict with any applicable specific plan; and

**WHEREAS**, this permanent Ordinance No. \_\_\_\_\_ complies with California Code Section 65852.2 that requires cities to establish standards to allow for ministerial approval of Accessory Dwelling Units so as to provide additional rental housing stock as Accessory Dwelling Units as a component of the housing supply in California; and

**WHEREAS**, this permanent Ordinance No. \_\_\_\_\_ is largely identical to Interim Urgency Ordinance No. 2338, except for minor modifications; and

**WHEREAS**, during the regularly scheduled City Council meeting of February 26, 2019, the

City Council held a duly noticed public hearing to take public testimony and continued the public hearing to the regularly scheduled City Council meeting of March 12, 2019, to consider introducing this Ordinance;

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

**SECTION 1** The City Council hereby repeals Interim Urgency Ordinance Nos. 2336 and 2338 in their entirety.

**SECTION 2.** The City Council hereby adds new Chapter 11.43 (Accessory Dwelling Units and Accessory Structures), to Title 11 (Zoning), of the South Gate Municipal Code in its entirety to read as follows:

**Title 11 (Zoning)  
Chapter 11.43 (Accessory Dwelling Units and Accessory Structures)**

Sections:

- 11.43.010 Purpose and Intent.**
- 11.43.020 Definitions.**
- 11.43.030 Accessory Dwelling Unit Requirements.**
- 11.43.040 Application Process and Permit Requirements.**
- 11.43.050 Recordation of Covenant.**
- 11.43.060 Revocation.**
- 11.43.070 Hearings and Appeals.**
- 11.43.080 Responsible Persons.**
- 11.43.090 Declaration of Nuisance; Enforcement.**
- 11.43.100 No Authorization to Violate Law.**
- 11.43.110 Accessory Structures.**

**11.43.010 Purpose and Intent.**

This chapter of the South Gate Municipal Code (the "Chapter") establishes the standards for permitting accessory dwelling units ("Accessory Dwelling Units") within the City of South Gate, formerly known as "second dwelling units" on residential properties in accordance with Section 65852.2 as of the California Government Code, as amended and effective January 1, 2017.

**11.43.020 Definitions.**

For purposes of this Chapter the following terms shall have the meanings indicated:

- A.** "Accessory Dwelling Unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An Accessory Dwelling Unit also includes (i) an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code and (ii) a manufactured home, as defined in Section 18007 of the Health and Safety Code.
- B.** "Accessory Dwelling Unit Permit" means the formal, written approval, of the Community Development Director approving the application for an Accessory Dwelling Unit.

- C. "Application" means an application for an Accessory Dwelling Unit Permit.
- D. "Building Codes" means all of the requirements for authorization for the construction, alteration, improvement, modification, demolition or removal of any structure within the City of South Gate, including all codes adopted by reference in the Municipal Code, including but not limited to the California Building Code, the California Electrical Code, the California Plumbing Code, the California Mechanical Code, the California Residential Code and all local amendments thereto as adopted by the City in the Municipal Code.
- E. "Building Permits" means all authorizations and permissions required in accordance with all applicable Building Codes.
- F. "City" means the City of South Gate.
- G. "Director" means the Community Development Director of the City of South Gate and all of his/her designees.
- H. "Existing Structure" for the purposes of defining an allowable space that can be converted to an Accessory Dwelling Unit means within the four walls and roofline of any structure existing on or after January 1, 2017 that can be made safely habitable under local building codes at the determination of the building official regardless of any non-compliance with zoning standards.
- I. "Initiate the Use" means to commence occupying the Accessory Dwelling Unit by persons for human habitation.
- J. "Living Area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.
- K. "Lot" shall mean the single legal parcel of real property upon which the Accessory Dwelling Unit shall be located.
- L. "Main Dwelling" means a lawfully constructed single-family residence existing on the Lot where the Accessory Dwelling Unit may be permitted.
- M. "Municipal Code" means the Municipal Code of the City of South Gate.
- N. "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the Accessory Dwelling Unit.
- O. Other words and phrases used in this Chapter shall have the same meaning as provided in the South Gate Municipal Code.

**11.43.030 Accessory Dwelling Unit Requirements.**

- A. **Location of Accessory Dwelling Units.** An Accessory Dwelling Unit for which a valid Accessory Dwelling Unit Permit has been issued and that is, at all times, maintained, utilized and improved in accordance with this Chapter shall be permitted within the NL Zone within the City. The foregoing notwithstanding, Accessory Dwelling Units shall not be

established or permitted within a planned community, including but not limited to planned unit developments and condominium projects, unless Accessory Dwelling Units were specifically incorporated into the approved project plans and the recorded covenants, conditions and restrictions or other document reflecting the land use restrictions applicable to the development.

- B. Compliance with Chapter.** No Accessory Dwelling Unit may be constructed, maintained, improved, altered, enlarged, modified, permitted or allowed within the City except as provided in this Chapter and only in the NL Zone.
- C. Residential Use.** An Accessory Dwelling Unit shall be used only for residential purposes and no business, enterprise or occupation shall be conducted, permitted or allowed within the Accessory Dwelling Unit.
- D. Applications for Accessory Dwelling Unit Permit.** All applications for an Accessory Dwelling Unit Permit shall be submitted to the Director on the form approved by the Director, together with all information and documents requested, which shall include scaled and fully dimensioned plans, and elevations for the lot including the proposed Accessory Dwelling Unit, Main Dwelling, any other structures on site, parking, set-backs and entrances and driveways.
- E. Building Permits.** Building Permit(s) shall be required for all Accessory Dwelling Units. All existing Building Permits for a proposed Accessory Dwelling Unit shall be submitted with the Application. In addition, all applications for all Building Permits or other authorizations and approvals required for the legal use of the structure where the Accessory Dwelling Unit will be located shall be submitted with the Application, together with all permit, planning, development or other fees required under the Municipal Code, except as otherwise expressly provided in this Chapter.
- F. Design Compatibility.** All Accessory Dwelling Units shall be architecturally compatible with the Main Dwelling with respect to styling, roofline, window and door treatment, materials, colors, textures, height, scale, and bulk, and shall be compatible with the surrounding neighborhood.
- G. Community Impact.** The design and establishment of the Accessory Dwelling Unit shall not adversely affect the neighborhood with respect to on-street parking demand and use, traffic noise, or other impacts that could result in adverse impacts on public services and resources.
- H. Continuous Owner Occupancy.** At the time that an application for Accessory Dwelling Unit Permit is submitted and at all times thereafter at least one of the dwelling units (Main Dwelling or Accessory Dwelling Unit) on the Lot must be occupied by a natural person who a is lawful owner or beneficial interest holder of a lawful trust holding title to the Lot. The other dwelling unit may be rented for a period of not less than thirty (30) days. It is the intent of this Chapter that once established, at least of one of the units on the Lot shall be owner occupied. In the event that no such person occupies one of the units on the Lot, the Accessory Dwelling Unit may not be occupied or rented and shall be deemed to be non-habitable as provided in Section 11.43.060, in which case all owners and all persons in control, management or possession of the Lot shall comply with Section 11.43.060(C).

**I. Minimum Lot Requirements.** Accessory Dwelling Units shall only be permitted on legal parcels that meet all the following Lot qualifications:

1. The Lot is located within an NL zone as designated by the South Gate zoning map.
2. The Lot size is equal to or larger than six thousand (6,000) square feet, unless the Accessory Dwelling Unit is located entirely within the Living Area of the existing Main Dwelling, in which case the Lot size may be smaller.
3. The Lot has an existing single-family Main Dwelling.
4. The Lot does not have an existing Accessory Dwelling Unit on site. Only one Accessory Dwelling Unit, regardless of size or configuration, may exist on a Lot at any one time. No more than two (2) dwelling units may exist at any time on a Lot containing an Accessory Dwelling Unit.
5. When an Accessory Dwelling Unit is to be contained within the existing space of a Main Dwelling or accessory structure, it shall have independent exterior access from the existing residence and the side and rear setbacks shall be sufficient for fire safety, including compliance with all applicable Fire Codes.

**J. Applicability of Other Municipal Code Requirements.** The Accessory Dwelling Unit, and any other improvements located on the Lot where it is located, shall comply with all applicable Building Codes and Zoning Code requirements, except as modified expressly by this Chapter. The foregoing notwithstanding, Accessory Dwelling Units shall not be required to be equipped with fire sprinklers, unless they are required for the Main Dwelling.

**K. Density and Use.** The existence of an Accessory Dwelling Unit shall not be deemed to cause a Lot to exceed the allowable density for the Lot upon which the Accessory Dwelling Unit is located. An Accessory Dwelling Unit shall be considered a residential use consistent with the existing general plan and zoning designation for the Lot.

**L. Ownership.** An Accessory Dwelling Unit shall, at all times, be held under the same ownership as the remainder of the Lot on which it is located. An Accessory Dwelling Unit may not be partitioned from the Main Dwelling and may not be sold, transferred or assigned separately from the Main Dwelling.

**M. Development Standards.** An Accessory Dwelling Unit shall at all times comply with the following requirements.

1. **Development Standards.** Except as expressly provided herein, all development standards set forth in the Municipal Code applicable to the Main Dwelling shall be applicable to all Accessory Dwelling Units.
2. **Maximum Occupancy.** Occupancy loads of the Accessory Dwelling Unit shall be the same as applicable to the Main Dwelling pursuant to applicable regulatory requirements of the Municipal Code or the State of California, including without limitation all



applicable Building and Fire Codes.

- 3. Compliance with Building Codes.** All construction, alteration, modification, demolition, improvement or other work required to comply with this Chapter, the Accessory Dwelling Unit Permit or any other condition related thereto, shall be in compliance with all applicable Building Codes and shall be completed and final inspection requested within one-hundred-eighty (180) calendar days after the issuance of such permit, approval or authorization. Upon a request made by the Applicant prior to the expiration of a permit, approval or authorization and upon good cause having been shown that the work could not reasonably be completed within the said time period, the building official or department issuing such authorization may grant one (1) extension of no more than one-hundred-eighty (180) days.
- 4. Utilities.** If the Accessory Dwelling Unit is contained within an existing Main Dwelling or an existing accessory structure, has independent exterior access from the existing Main Dwelling, and has side and rear setbacks sufficient for fire safety, then a new or separate utility connection directly between the Accessory Dwelling Unit and the utility shall not be required. In all other cases, an Accessory Dwelling Unit shall be equipped with a new and separate utility connection directly between the Accessory Dwelling Unit and the utility. The City shall charge a connection fee or capacity charge, as applicable to the specific property, that shall be proportionate to the burden of the proposed Accessory Dwelling Unit, based upon either its size or the number of plumbing fixtures, and upon the water or sewer system, as determined by the Director; provided, however, that the charge shall not exceed the reasonable cost of providing the service. All newly constructed or installed utilities for the Accessory Dwelling Unit shall be underground and subject to and comply with Municipal Code Section 11.30.060.
- 5. Smoke Detectors.** If the Main Dwelling is required to be equipped with functioning hardwired smoke detectors with battery backup, the Accessory Dwelling Unit shall also be so equipped.
- 6. Gross Floor Area.** The Accessory Dwelling Unit, whether attached, detached or a part of the Main Dwelling shall not have a gross floor area greater than six-hundred-forty (640) square feet or 30% of the area of the Main Dwelling, whichever is less, and shall contain no more than one bedroom.
- 7. Unit Size.** The Accessory Dwelling Unit shall not be less than two-hundred-forty (240) square feet in size or the minimum size for an efficiency unit, as defined in California Health and Safety Code Section 17958.1, whichever is greater.
- 8. Lot Coverage.** The Main Dwelling and the Accessory Dwelling Unit, together with all other structures, shall not exceed a total structural lot coverage of forty-five percent (45%).
- 9. Location of New Construction Setbacks.** In the event that the Accessory Dwelling Unit is to be constructed separate and apart from the Main Dwelling and not within an existing garage that is to be converted to residential use, the Accessory Dwelling Unit shall be located outside of all setback requirements set forth in the Municipal Code that

are applicable to the Main Dwelling and shall be located in the rear one-half of the Lot. An existing garage that is converted to an Accessory Dwelling Unit shall not be required to have any setback, other than the setback that may be required by Building or Fire Codes for fire or safety purposes. A newly constructed Accessory Dwelling Unit that is located above a garage shall be located not closer than five (5) feet from the side and rear lot lines. A minimum building separation (eave to eave) of ten (10) feet shall be maintained between the Main Dwelling and a detached Accessory Dwelling Unit.

**10. Height.** The Accessory Dwelling Unit shall be no taller than thirty-four (34) feet or the height of the existing Main Dwelling, whichever is lower, and may not exceed one (1) story unless the existing Main Dwelling has at least two (2) stories.

**11. Passageways.** No passageway shall be required in conjunction with the construction of an Accessory Dwelling Unit.

**12. Entrance.** The Accessory Dwelling Unit shall have a separate entrance from the Main Dwelling that shall not be visible from the front of the Main Dwelling or the public right of way.

**13. Parking.**

A. In addition to the parking requirement in the Municipal Code for the Main Dwelling, parking shall be provided for the Accessory Dwelling Unit as follows: For units containing one or fewer bedrooms: one (1) space. This parking space, in combination with the other parking spaces required for the Lot, may be provided as tandem parking, including on an existing driveway or in setback areas, excluding the non-driveway front yard setback.

B. When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an Accessory Dwelling Unit, replacement parking shall be required and may be located in any configuration on the same lot as the Accessory Dwelling Unit, except that replacement parking spaces shall not be located within the non-driveway front yard setback. Replacement spaces shall be provided in any configuration on the same Lot as the Accessory Dwelling Unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. The number of replacement parking spaces shall be no fewer than the spaces that were removed. The minimum dimensions for any replacement parking spaces shall be ten (10) feet by twenty (20) feet. Parking spaces shall be maintained in good order and repair and clear of all vegetation, equipment, trash, debris or any other condition that would prevent or impede the use of the spaces for parking.

C. The parking requirement for an Accessory Dwelling Unit set forth in this section shall not be required in the following instances:

- i. The Accessory Dwelling Unit is located within one-half mile of a regularly used public transit stop, depot or station.
- ii. The Accessory Dwelling Unit is part of the existing Main Dwelling or an existing accessory structure that is not being removed to accommodate the Accessory Dwelling Unit.

- iii. The Accessory Dwelling Unit is located within an architecturally and historically significant historic district.
- iv. When on-street parking permits are required but not offered to the occupant of the Accessory Dwelling Unit.
- v. When there is a car share vehicle located within one block of the Accessory Dwelling Unit.

**11.43.040 Application Process and Permit Requirements.**

**A. Processing Application.** Within 120 days of receipt of a completed Application, submitted with all supporting documentation and, if applicable, all fees required for Building Permits, Development and Planning, approvals, authorizations and permissions, in accordance with Government Code Sections 66000, et seq., the Director shall issue an Accessory Dwelling Unit Permit, ministerially, upon making a determination that the proposed Accessory Dwelling Unit would be in compliance with this Chapter and that all required approvals, permits, authorizations and permissions exist for the lawful use of the Accessory Uses or will be issued by the appropriate agency or department. If the Director has information or reasonable belief that all such approvals, permits authorization and permissions do not exist and will not be issued within a reasonable time, the Director shall deny the Application.

**B. Health Official Approval.** In the event that that the property is served by a functioning private sewage disposal system, any Application for an Accessory Dwelling Unit must be approved by health official for the City before an Accessory Dwelling Unit Permit may be issued by the Director.

**C. Conditions of Approval.** The Director may include conditions on the Accessory Dwelling Unit Permit that are consistent with this Chapter.

**D. Denial of Application.** The Director shall deny an Application for an Accessory Dwelling Unit Permit upon making a determination that the Requirements of this Chapter have not been satisfied and in the event that the Director finds that any of the following conditions exist or may occur if the application is granted:

- 1. The Accessory Dwelling Unit would be detrimental to the public health and safety or that it would unreasonably impact the privacy of the surrounding properties.
- 2. The Lot or any structure located there upon contains any active violations of the Municipal Code or other applicable regulation or law, except in the event that such violation shall be abated in the course of construction or other activities authorized by permits or other authorizations or permissions granted by the City.

**11.43.050 Recordation of Covenant.**

Within thirty (30) days of the approval of an Application for an Accessory Dwelling Unit Permit, the owner of the Lot shall record a covenant (“Covenant”) reflecting the obligations, rights and restrictions provided in the Permit and in this Chapter. The Covenant shall “run with the land” and be binding on the Lot and all owners, lenders, lien holders, occupants and all other persons having an interest or estate in the Lot, now or in the future. The Covenant shall be recorded in the Registrar-Recorder's Office of Los Angeles County. A copy of the Accessory Dwelling Unit Permit shall be incorporated in or attached to the Covenant and shall be recorded therewith. A copy of the Covenant shall be filed with the City's Community

Development Department. The Covenant shall be in a form approved in writing by the City Attorney and shall provide the following:

- A. That at all times that an Accessory Dwelling Unit is located on the subject Lot a natural person who is a lawful owner, or beneficial interest holder of a lawful trust holding title to the Lot must continuously occupy the Main Dwelling or the Accessory Dwelling Unit as that person's principal residence.
- B. At all times there shall be no more than two (2) residential units on any Lot containing an Accessory Dwelling Unit.
- C. That the Accessory Dwelling Unit may not be sold separately from the remainder of the Lot and that it shall not be subject to partition or separation from the Lot where the Main Dwelling is located.
- D. That any rental of either the Main Dwelling or Accessory Dwelling Unit not occupied by a natural person who is an owner of the subject property or the beneficial interest holder must be for a term longer than thirty (30) days.
- E. That the Accessory Dwelling Unit Permit for the Lot and each of the terms and conditions set forth therein bind the Lot and all owners and all beneficial interest holders, lenders, lien holders, occupants and all other persons having an interest or estate in the Lot, now or in the future.
- F. That the use of the Accessory Dwelling Unit is subject to the provisions of this Chapter.
- G. That the Accessory Dwelling Unit Permit may be subject to revocation in the event of breach of the terms of the Covenant or as otherwise provided in this Chapter.

**11.43.060 Revocation.**

- A. The Director may revoke any Accessory Dwelling Unit Permit in the event of any of the following:
  - 1. Misrepresentation or any false, untrue or inaccurate statement in the Application or any supporting documentation.
  - 2. Failure to execute and record the Covenant required pursuant to Section 11.43.050.
  - 3. The Accessory Dwelling Unit ceases to be used for human habitation.
  - 4. Failure to initiate the use as authorized under the Accessory Dwelling Unit Permit within 180 days, together with any extension authorized by the Director, after final inspection of any applicable building permits or the issuance of the Accessory Dwelling Unit Permit, whichever is later.
  - 5. The use of the Accessory Dwelling Unit causes detriment or becomes incompatible to the surrounding homes as a result of the manner in which it is maintained.
  - 6. Parking as required under this Chapter is not provided or maintained.

7. Failure to comply with any condition of approval of the Accessory Dwelling Unit Permit.
8. The use of the Accessory Dwelling Unit causes or becomes a nuisance, as defined in the Municipal Code.
9. If any term or condition of the Covenant is violated.
10. The Accessory Dwelling Unit was not constructed in accordance with the plans and buildings permits approved by the City that were submitted with the Application for the Accessory Dwelling Unit Permit. This includes the failure to obtain a final inspection within 180 days after the issuance of building permits.
11. Maintenance of the Accessory Dwelling Unit in violation of applicable laws, regulatory codes or the Municipal Code.

**B. Notification of Revocation.** The Director shall give written notice of the revocation of the Accessory Dwelling Unit by mail or hand delivery to the property owner and the occupants of the Main Dwelling and the Accessory Dwelling Unit and by posting a copy of the notice of revocation at the front entrance to each unit.

**C. Effect of Revocation.** Within ten (10) days after notice of the revocation is given, human habitation of the Accessory Dwelling Unit must cease. The Accessory Dwelling Unit shall thereafter be deemed non-habitable space. Within thirty (30) days after notice of the revocation is given, all electrical, plumbing, kitchen and bathroom facilities, fixtures, equipment and appliances shall be removed. To the extent that removal of any of the foregoing cannot be completed without significant risk to the structural integrity of any structure upon the Lot, any such facility, equipment, fixture or appliance may, with the consent of the building official, in lieu of removal, be permanently disabled in place. Provided, further, that any such facility, equipment, fixture or appliance shall not be required to be removed if they would otherwise be permitted within an accessory structure within the NL zone pursuant to the Municipal Code.

#### **11.43.070 Hearings and Appeals.**

**A. Director's Hearing.** In the event that the Director denies an Application for an Accessory Dwelling Unit or revokes an Accessory Dwelling Unit Permit, the applicant or permittee may request a hearing before the Director within 10 days after being advised of the decision. If there is a request for a hearing in accordance with this Subsection, the order of the Director shall be stayed until the Director makes his determination after the hearing is concluded. If there is no request for hearing within the ten (10) day period, or upon a determination of the Director upholding the revocation, the Accessory Dwelling Unit shall be brought into compliance with Subsection 11.43.060(C), above or in the case of a denial of an application, the property shall be brought into compliance with all applicable building and zoning requirements of the Municipal Code.

**B. Appeal of Director's Determination After Hearing.** If the Director does not rescind a denial of the application or the revocation after the hearing, the applicant or permittee may

appeal to the planning commission in accordance with Municipal Code Section 11.50.040. The Accessory Dwelling Unit may continue to be used until the appeal is decided.

- C. Preclusion of Further Application.** In the event that an Application is denied or a permit is revoked, no Application may be made for an Accessory Dwelling Unit Permit for the same Lot for a period of one (1) year from the date of the revocation or the conclusion of the appeal process, whichever is later.

**11.43.080 Responsible Persons.**

All owners, occupants, managers and persons with dominion or control over the Accessory Dwelling Unit or the Lot upon which it is located shall comply with the terms of this Chapter and all applicable conditions, covenants, permits and restrictions created thereby.

**11.43.090 Declaration of Nuisance; Enforcement.**

Any condition, construction, improvement, alteration or use that is created, permitted, allowed or maintained in violation of this Chapter is declared to be a nuisance and may be abated in accordance with any and all remedies available to the City, whether legal or equitable, civil, criminal or administrative, all of which shall be deemed cumulative. A violation of this Chapter shall be subject to enforcement as provided in Chapter 11.56 of the Municipal Code. Any violation of this Chapter is declared to be a misdemeanor.

**11.43.100 No Authorization to Violate Law.**

Nothing in this Chapter allows or permits the violation of any Federal or State Law or the Municipal Code. Except as provided hereunder, nothing herein cures or makes legal any illegal condition or use. Any work, improvement, construction or alteration required or permitted by this Chapter shall comply with all applicable building permit and regulatory requirements of the Municipal Code.

**11.43.110 Accessory Structures.**

The following provisions, in combination with Section 11.43.040 (Application Process and Permit Requirements), are minimum requirements for all accessory structures that are not an Accessory Dwelling Unit.

- A. Detached Garage.** Detached garages shall be limited to accommodating four vehicles and shall conform to all development standards of the NL Zone.
- B. Garage Doors.** Garage doors shall not comprise more than 50% of any single parcel frontage.

**SECTION 3.** The City Council hereby finds and determines, for the reasons set forth in Section 1, hereof that this Ordinance is exempt from the California Environment Quality Act of 1970 ("CEQA"), as amended, because it can be seen with certainty that this ordinance has no likelihood of causing a significant negative effect on the environment and accordingly both the City Council's action of adopting this ordinance and the effects derivative from the adoption are exempt from the application of CEQA, pursuant to Section 15061(b)(3) of the State CEQA Guidelines (15 Cal. Code Regs. § 15061(b)(3)). Furthermore, the adoption and implementation of the Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17, which provides that CEQA "does not apply to the adoption of an ordinance by a city or county to implement the provisions of Sections 65852.1 or 65852.2 of the Government Code." This Ordinance was adopted

and is extended to implement changes in Government Code Section 65852.2, and thus is exempt from CEQA's environmental review requirements.

**SECTION 4.** This Ordinance shall take effect on the thirty first (31<sup>st</sup>) day after its adoption.

**SECTION 5.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one of more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 6.** The City shall submit a certified copy of this Ordinance to the State Department of Housing and Community Development not later than sixty (60) days after the date of adoption of this Ordinance, as required by Government Code Section 65852.2(h).

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of **March, 2019.**


**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Raul F. Salinas, City Attorney

# ADU Ordinance- Summary of Changes

(Underlined sections are changes to prior code)

Regulations	New State Law	Prior City Code	Interim Urgency Ordinance
Zoning	➤ Any lot zoned for single or multifamily housing	➤ NL (Neighborhood Low) Zone	➤ NL (Neighborhood Low) Zone
Minimum Lot Requirement	➤ No lot size requirement	<ul style="list-style-type: none"> <li>➤ 6,000 sq. ft. or larger</li> <li>➤ Existing single-family dwelling residence required</li> <li>➤ Must not have existing ADU on site</li> </ul>	<ul style="list-style-type: none"> <li>➤ 6,000 sq. ft. or larger</li> <li>➤ Existing single-family residence required</li> <li>➤ Must not have existing ADU on site</li> </ul>
Size of ADUs	<ul style="list-style-type: none"> <li>➤ Maximum of 50% of the existing main dwelling, with maximum increase in floor area of 1,200 sq. ft.; total area of floorspace for detached ADU not to exceed 1,200 sq. ft.</li> <li>➤ Minimum size for an "efficiency unit" as defined in CA Health &amp; Safety Code</li> </ul>	<ul style="list-style-type: none"> <li>➤ Maximum of 30% of the existing dwelling or 640 sq. ft. of gross floor area, whichever is less.</li> <li>➤ Minimum of 240 sq. ft.</li> <li>➤ Maximum of one bedroom</li> </ul>	<ul style="list-style-type: none"> <li>➤ Maximum of 30% of the existing main dwelling or 640 sq. ft. of gross floor area, whichever is less, <u>unless ADU located entirely within main dwelling</u></li> <li>➤ <u>Minimum of 240 sq. ft. or the minimum size for an efficiency unit as defined in CA Health &amp; Safety Code</u></li> <li>➤ Maximum of one bedroom</li> </ul>
Lot Coverage	➤ Not specified	➤ Maximum lot coverage is 45% for any NL Zone parcel (sum of main dwelling and ADU)	➤ Maximum lot coverage is 45% for any NL Zone parcel (sum of main dwelling and ADU)
Location of New ADU Construction (Setbacks)	<ul style="list-style-type: none"> <li>➤ Maximum 5 ft. setback from side and rear lot for ADU constructed above garage</li> <li>➤ No setback requirement for converted garages</li> </ul>	<ul style="list-style-type: none"> <li>➤ NL setback regulations                             <ul style="list-style-type: none"> <li>• 5ft from interior/rear</li> </ul> </li> <li>➤ Constructed on rear ½ of lot</li> <li>➤ May be located on first or second floor, attached or detached from main dwelling.</li> </ul>	<ul style="list-style-type: none"> <li>➤ ADUs constructed apart from main dwelling and not within existing garage must meet required setbacks</li> <li>➤ <u>Minimum 5 ft. setback from side and rear lot for ADU constructed above garage</u></li> <li>➤ Constructed on rear ½ of lot <u>if not constructed within an existing garage</u></li> <li>➤ <u>Minimum building separation of 10 ft. maintained between main dwelling and ADU</u></li> <li>➤ <u>No setback requirement for converted garages</u></li> </ul>



# ADU Ordinance- Summary of Changes

(Underlined sections are changes to prior code)

Regulations	New State Law	Prior City Code	Interim Urgency Ordinance
New Parking for ADUs	<ul style="list-style-type: none"> <li>➤ Maximum of one parking space per unit or bedroom; and may be provided as tandem, covered, uncovered, or by use of mechanical automobile lifts</li> <li>➤ Required spaces are permitted in setback areas as determined by local agency</li> <li>➤ No parking is required if ADU is:               <ol style="list-style-type: none"> <li>1. Located within one-half mile of a public transit stop, depot or station</li> <li>2. A part of the existing main dwelling or an existing ADU that is not being removed to accommodate the ADU</li> <li>3. Located within a historically significant historic district</li> <li>4. In an area where on-street parking permits are required, but not offered to the occupant of the secondary ADU</li> <li>5. Located within one block of a dedicated car share vehicle</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>➤ A minimum of one on-site paved parking space.               <ul style="list-style-type: none"> <li>○ No tandem or perpendicular parking</li> <li>○ Not permitted within required setbacks</li> </ul> </li> <li>➤ Minimum parking space dimensions 10 ft. by 20 ft.; not block access to main dwelling garage</li> </ul>	<ul style="list-style-type: none"> <li>➤ <u>Maximum of one parking space for units containing one or fewer bedrooms</u></li> <li>➤ <u>May be provided through tandem parking, including on an existing driveway or in setback areas, excluding the non-driveway front yard setback</u></li> <li>➤ Minimum parking space dimensions 10 ft. by 20 ft.</li> <li>➤ <u>Parking spaces are to be maintained and free of debris</u></li> <li>➤ <u>No parking is required if ADU is:</u> <ol style="list-style-type: none"> <li>1. <u>Located within one-half mile of a public transit stop, depot or station</u></li> <li>2. <u>A part of the existing main dwelling or an existing ADU that is not being removed to accommodate the ADU</u></li> <li>3. <u>Located within a historically significant historic district</u></li> <li>4. <u>In an area where on-street parking permits are required, but not offered to the occupant of the secondary ADU</u></li> <li>5. <u>Located within one block of a dedicated car share vehicle</u></li> </ol> </li> </ul>
Replacement ADU Parking	<ul style="list-style-type: none"> <li>➤ When a parking structure is demolished in conjunction with the construction of an accessory dwelling unit, the replacement space may be located in any configuration on the same lot as the ADU as :               <ul style="list-style-type: none"> <li>▪ Covered spaces</li> <li>▪ Uncovered spaces</li> <li>▪ Tandem spaces</li> <li>▪ Mechanical automobile lift</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>➤ Not specified</li> </ul>	<ul style="list-style-type: none"> <li>➤ <u>When garage or covered parking structure is demolished or converted with construction of an ADU, replacement parking is required but cannot be located within the non-driveway front yard setback. The number of replacement parking spaces is no fewer than the spaces that were removed; minimum dimensions being 10 ft. by 20 ft.</u></li> </ul>

# ADU Ordinance- Summary of Changes

(Underlined sections are changes to prior code)

Regulations	New State Law	Prior City Code	Interim Urgency Ordinance
Utilities	<ul style="list-style-type: none"> <li>➤ Separate utilities cannot be required if ADU is within existing main dwelling or accessory structure</li> </ul>	<ul style="list-style-type: none"> <li>➤ Shall not be metered separately from main dwelling (gas, electricity, trash, water, or sewer services)</li> </ul>	<ul style="list-style-type: none"> <li>➤ <u>New detached ADUs will require new and separate utility connections</u></li> <li>➤ <u>Separate utilities will not be required if the ADU is:</u> <ol style="list-style-type: none"> <li>1. <u>Contained within an existing main dwelling and/or;</u></li> <li>2. <u>Has independent exterior access from the existing main dwelling, and has side and rear setbacks sufficient for fire safety</u></li> </ol> </li> </ul>
Owner Occupancy	<ul style="list-style-type: none"> <li>➤ Allows a local agency to require one of the units to be owner occupied or to be used for rentals for terms longer than 30 days</li> </ul>	<ul style="list-style-type: none"> <li>➤ One of the dwelling units shall be owner occupied</li> </ul>	<ul style="list-style-type: none"> <li>➤ One of the dwelling units shall be owner occupied</li> <li>➤ <u>Any rental of ADU or main dwelling must be for longer than 30 days</u></li> </ul>
Maximum Occupancy	<ul style="list-style-type: none"> <li>➤ Not specified</li> </ul>	<ul style="list-style-type: none"> <li>➤ Occupancy of the second dwelling unit is limited to a maximum of two persons</li> </ul>	<ul style="list-style-type: none"> <li>➤ <u>Must meet the requirements of the Municipal Code or the State of California</u></li> </ul>
Passageways	<ul style="list-style-type: none"> <li>➤ No passageway shall be required in conjunction with the construction of an ADU</li> </ul>	<ul style="list-style-type: none"> <li>➤ Not specified</li> </ul>	<ul style="list-style-type: none"> <li>➤ <u>No passageway shall be required in conjunction with the construction of an ADU</u></li> </ul>

el

# ADU Ordinance- Summary of Changes

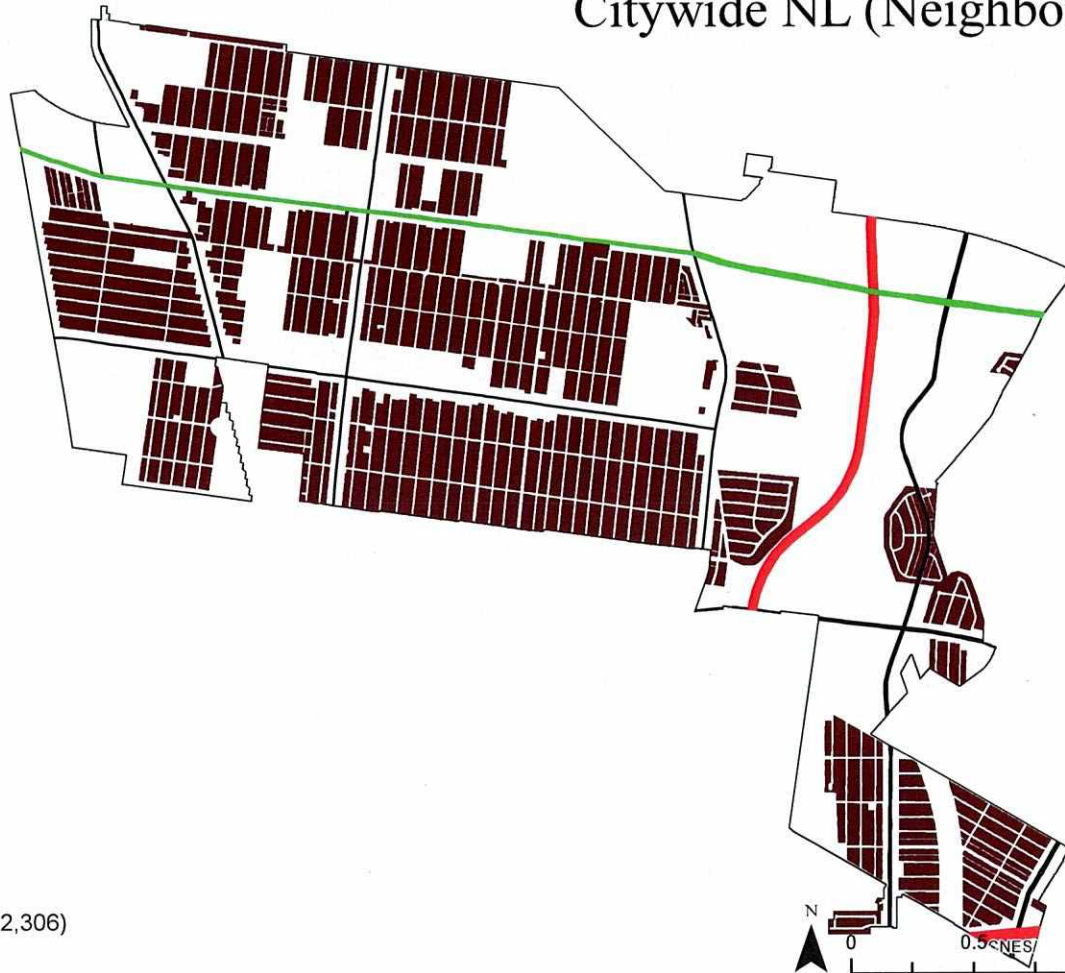
(Underlined sections are changes to prior code)

Regulations	New State Law	Prior City Code	Interim Urgency Ordinance
<b>Covenant (Deed Restriction)</b>	<ul style="list-style-type: none"> <li>➤ Not specified</li> </ul>	<p>Deed restriction including the following:</p> <ul style="list-style-type: none"> <li>➤ Total number of dwelling units on the property shall be limited to two units</li> <li>➤ One of the dwelling units shall be continuously owner-occupied</li> <li>➤ Parking spaces, including garage, shall be maintained free and clear of storage and debris</li> <li>➤ Units (main and second dwelling unit) shall not be metered separately</li> <li>➤ Units not sold separately</li> <li>➤ Second dwelling unit approval shall be revoked if any portion of the deed restriction is violated or not complied with.</li> </ul>	<p>Deed restriction including the following:</p> <ul style="list-style-type: none"> <li>➤ Owner must continuously occupy the primary residential structure or the ADU as their principal residence</li> <li>➤ At all times there shall be no more than two (2) residential units on any Lot containing an ADU</li> <li>➤ ADU may not be sold separately from the remainder of the parcel and that it shall not be subject to partition or separation from the Lot where the Main Dwelling is located</li> <li>➤ <u><i>That any rental of either the Main Dwelling or Accessory Dwelling Unit must be longer than thirty (30) days</i></u></li> <li>➤ <u><i>That the use of the ADU is subject to the provisions of this Code Section 11.43</i></u></li> <li>➤ That the ADU Permit may be subject to revocation in the event of breach of the terms of the Covenant</li> </ul>
<b>Hearing and appeals</b>	<ul style="list-style-type: none"> <li>➤ Not specified</li> </ul>	<ul style="list-style-type: none"> <li>➤ Administrative decision subject to appeal to Planning Commission per Municipal Code Section 11.50.040</li> </ul>	<ul style="list-style-type: none"> <li>➤ <u><i>If permit denied, permittee may request a hearing before the Director. If Director denies the application, the permittee may appeal to the Planning Commission per Municipal Code Section 11.50.040. The Accessory Dwelling Unit may continue to be used until the appeal is decided.</i></u></li> </ul>


# ADU SURVEY

City	Zoning	ADU Size	Minimum Lot Size	Lot Coverage	ADU Setback requirements	Replacement parking	Utility requirements for ADUs	Owner occupancy & rental of ADUs	Maximum occupancy	Covenant (deed restriction)
City of Bell	R-E, R-1, R-2, R-3, R-4	Max is 1,200 sf, or 50% of the primary residence, whichever is less	no minimum lot size requirement	varies, depending on zone, max is 50% in residential zones	Side: -5'-0 Rear: 5'-0	no parking requirement for new ADU/ for garage conversion, parking must be replaced	no utility requirement	Property owner must occupy ADU or primary unit/Yes, can be rented	no max occupancy	Required
Bellflower	Any residential zone	Attached: 50% of existing house. Detached: 1,200 sf	varies on zone, must meet min lot size	Based on zone, most 45%	setback requirement applicable to primary unit	1 space (can be uncovered or tandem)/Exempt if it's 1/2 mile from public transit	not specified	Owner must occupy one unit/ yes, can be rented	none specified	Required
Cerritos	Single family residential zone	750 sf	10000 sf	Not exceed 40% of lot area	comply with all setback requirements applicable to primary unit	Not specified	none specified	not specified/yes, can be rented	2 people	not specified
Downey	all residential zones, but new/added only in ADU overlay zones	Max: 850 sf, Min: 220 sf	varies, must meet minimum lot size of zone	Floor Area Ratio (60%)	*new detached, 0 ft rear *attached, min 5 ft *garage conversion, 0 ft	Varies depending on total enclosed area	Separate utilities not permitted	Owner must occupy one unit/ yes, can be rented	Not applicable	Must sign and record covenant
Huntington Park	all residential zones	Attached 50% of SFD or 1200 sf, whichever is least.	no minimum lot size requirement	varies, depending on zone, max 65% in residential zones	*garage conversion, 0 ft *new ADU, must comply with all setback of primary	1 space (can be uncovered or tandem)/Exempt if it's 1/2 mile from public transit	cannot be separate from the main unit	Owner must occupy one unit/ yes, can be rented	None, but limited to 1 bedroom	agreement with County Recorder's, property owner occupied
Santa Fe Springs	R-1 & R-3	ADU not exceed 50% of the primary residence, not exceed 640 sf max	5,000 sf	Not specified	*for garage conversions, 0 feet *5 feet from side and rear lot lines	1 space (can be uncovered or tandem)/Exempt if it's 1/2 mile from public transit	detached or multi-family zones, require a new or separate utility connection. attached units not Required	Owner must occupy one unit/ yes, can be rented	not specified	deed restriction satisfactory to the city attorney
Norwalk	allowed in all single-family residential zones	Min 150 sf, Max 720 sf, Shall not exceed 50% of primary dwelling	varies on zone	not specified	varies on zone	*no parking required for new ADU *for garage conversions, parking must be replaced and it may be uncovered or covered	All ADUs shall share gas, electrical, and water meters.	Owner must occupy one unit/ yes, can be rented	not specified	agreement with County Recorder's, property will be owner occupied
Paramount	R-1 only	Attached is 50% of existing dwelling or 500sqft, whichever is less. Max for detached ADU is 500sf	5000 sf	not specified	Minimum of 10 foot separation	*garage conversions, replaced as originally configured *1 parking space per ADU tandem parking is allowed	metered separately from the main building for gas, electricity, water, and sewer services	Owner must occupy primary unit or ADU	not specified	Required
Whittier	All single family and multi-family zoned properties	Min: 150sf Lots under 20,000sf: 50% primary residence Max 1,200sf, Lots over 20,000sf 50% of living area/Max: 1,500 sf	Varies on zone, cannot be less than 5% of min lot size	Lot coverage varies on zone. Floor area ratio will not apply to multi-family zones	Setbacks vary on zone, require the setback of the primary dwelling unit. Distance between structures 10 ft min	If within 1/2 mile of a transit stop, replacement parking is not required	Not specified	Not specified	not specified	not specified

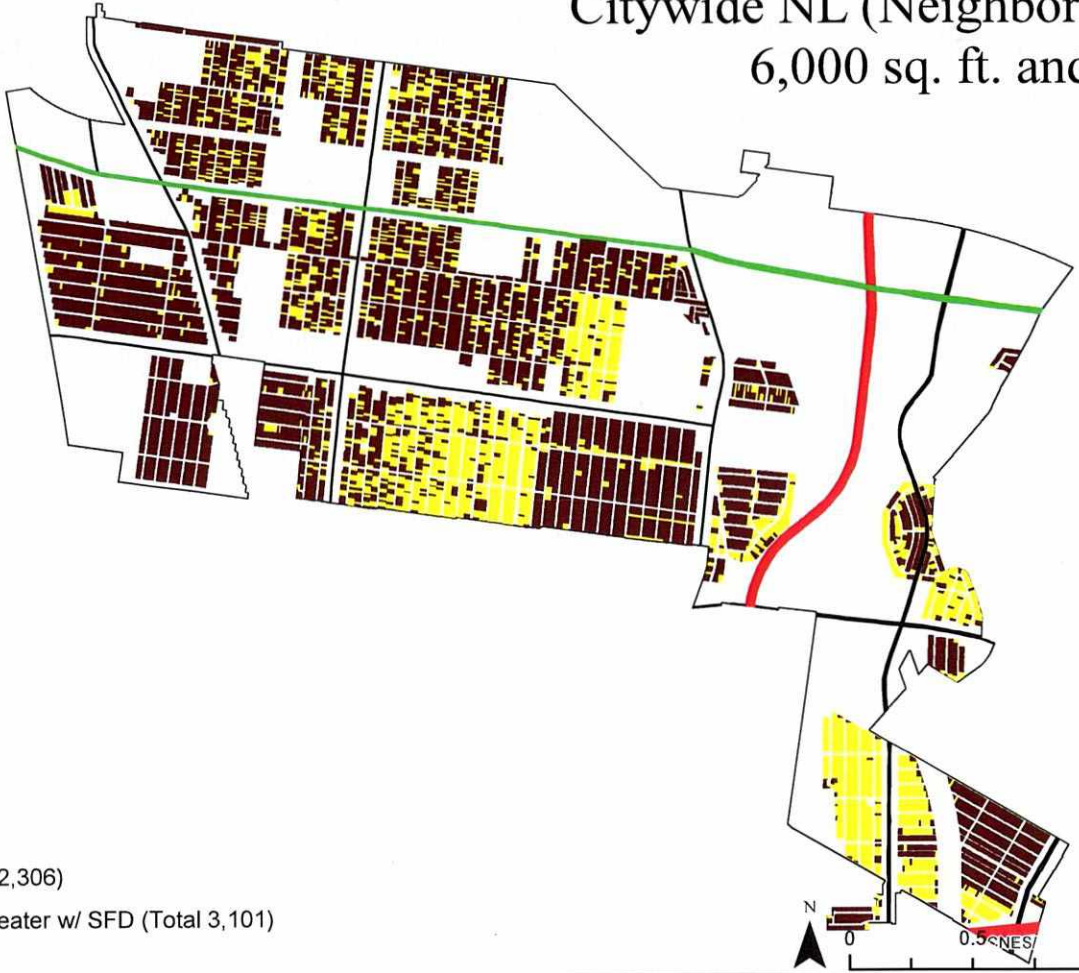
# Citywide NL (Neighborhood Low) Lots



## Legend

 NL Lots Citywide (Total 12,306)

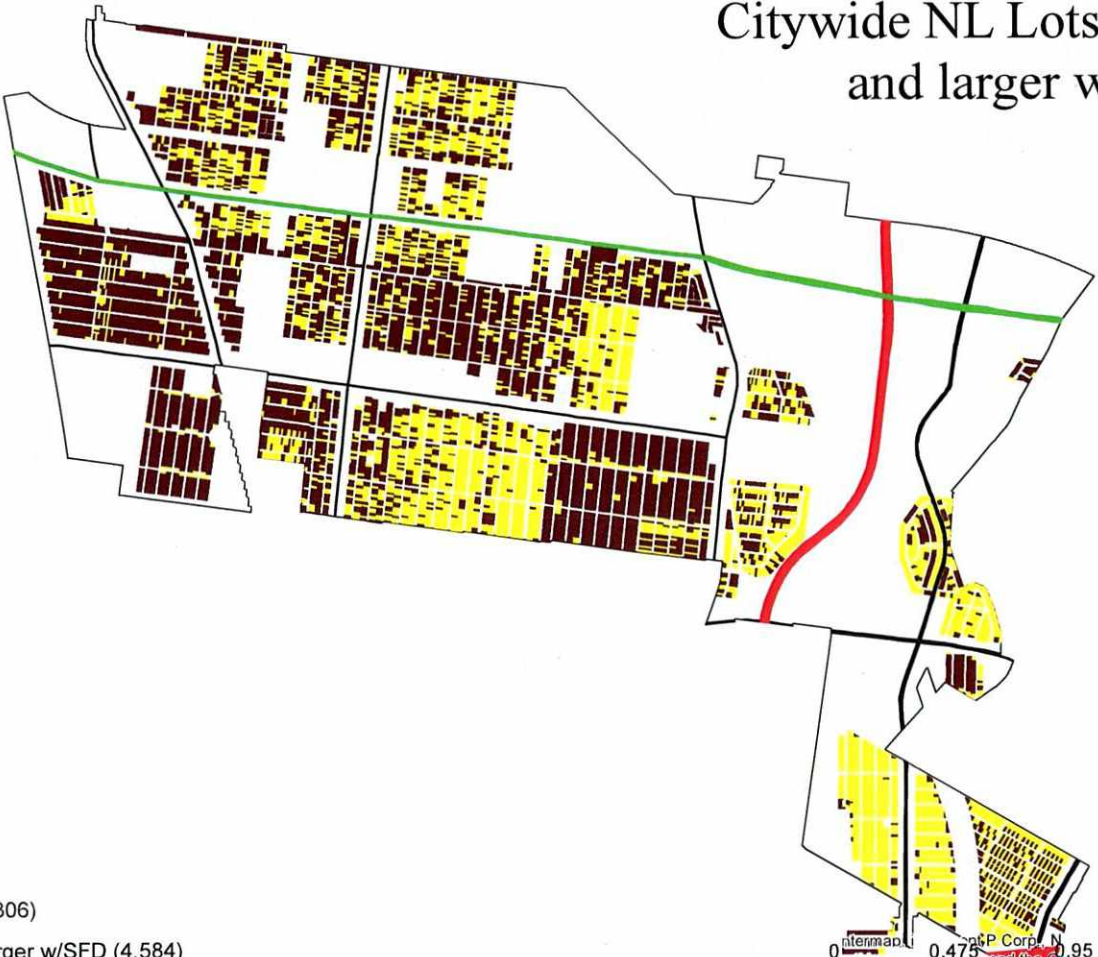
# Citywide NL (Neighborhood Low) Lots 6,000 sq. ft. and larger



### Legend

- NL Lots Citywide (Total 12,306)
- NL Lots 6000 sq. ft. or greater w/ SFD (Total 3,101)

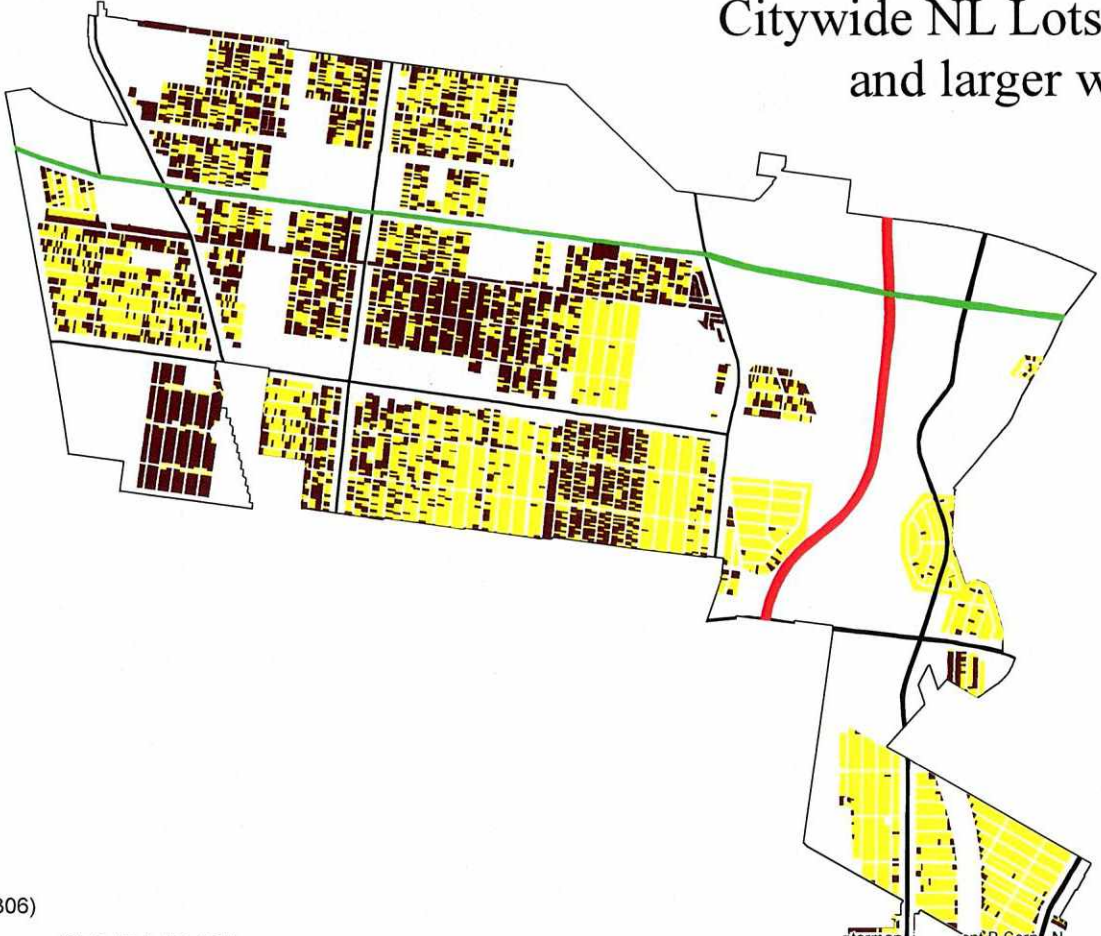
# Citywide NL Lots 5,500 sq. ft. and larger w/ SFD



## Legend

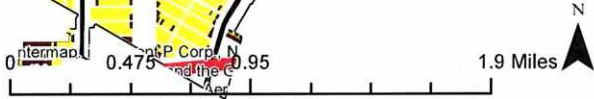
- NL Lots Citywide (Total 12,306)
- NL Lots 5,500 sq. ft. and larger w/SFD (4,584)

# Citywide NL Lots 5,000 sq. ft. and larger w/ SFD



### Legend

- NL Lots Citywide (Total 12,306)
- NL Lots 5,000 sq. ft. and larger w/SFD (Total 6,821)





**RESOLUTION NO. 2019-02**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE SOUTH GATE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE 11 (ZONING), BY ESTABLISHING STANDARDS AND MINISTERIAL PROCESS FOR APPROVING ACCESSORY DWELLING UNITS (ADUS)**

**WHEREAS**, effective January 1, 2017, California Government Code Section 65852.2 deemed null and void any existing ordinance that fails to provide an approval process that includes only ministerial provisions for the approval of Accessory Dwelling Units; and

**WHEREAS**, Government Code Section 65852.2 permits local governments to establish development standards for ministerial review of Accessory Dwelling Units and directs that Accessory Dwelling Units be approved subject to state standards when no local standards or process for accessory dwellings has been established; and

**WHEREAS**, Government Code Section 65858 permits cities to adopt interim procedures and criteria while studying potential permanent processes and zoning standards; and

**WHEREAS**, on April 25, 2017, the City Council adopted Interim Urgency Ordinance No. 2336 for the purpose of regulating Accessory Dwelling Units in the Neighborhood Low residential zone of the City of South Gate; and

**WHEREAS**, on May 23, 2017 the City Council adopted Interim Urgency Ordinance No. 2338, extended the term of Interim Urgency Ordinance No. 2336 through April 24, 2019; and

**WHEREAS**, Urgency Ordinance No. 2338 is scheduled to expire on April 24, 2019; and

**WHEREAS**, the proposed permanent Ordinance (attached hereto) complies with California Code Section 65852.2 that requires cities to establish standards to allow for ministerial approval of Accessory Dwelling Units so as to provide additional rental housing stock as Accessory Dwelling Units as a component of the housing supply in California; and

**WHEREAS**, the proposed permanent Ordinance is largely identical to Interim Urgency Ordinance No. 2338, except for minor modifications; and

**WHEREAS**, the Planning Commission, upon giving the required notice, did on the 21<sup>st</sup> day of February, 2019, conducted a duly advertised public hearing as required by law; notice of the hearing was published in the "Press Telegram" Newspaper on February 8, 2019; and

**WHEREAS**, studies and investigations were made and a staff report with recommendations was submitted; and

**WHEREAS**, the Planning Commission determined that the facts of this matter are as follows:

1. Urgency Ordinance No. 2338 is scheduled to expire on April 24, 2109 and, unless the City adopts a permanent ADU ordinance, the City will have no effective ordinance addressing ADUs. Without a permanent ordinance in place, ADU applications will be processed by default under State regulations, resulting in a loss of City authority to process and apply standards for new ADUs.
2. Notice for the Planning Commission hearing was published in the "Press Telegram" Newspaper on February 8, 2019.

**WHEREAS**, the City Planning Commission made the following findings:

1. The public health, safety and welfare would not be adversely affected by approval of the proposed Ordinance since the Ordinance would be consistent with the General Plan and the requirements specified in state law.
2. The proposed Ordinance would not be detrimental to surrounding properties, since the proposed Ordinance furthers General Plan policies that promote increased housing opportunities.
3. This Ordinance is exempt from the California Environment Quality Act of 1970 ("CEQA"), as amended, because it can be seen with certainty that this ordinance has no likelihood of causing a significant negative effect on the environment and accordingly both the City Council's action of adopting this ordinance and the effects derivative from the adoption are exempt from the application of CEQA, pursuant to Section 15061(b)(3) of the State CEQA Guidelines (15 Cal. Code Regs. § 15061(b)(3)). Furthermore, the adoption and implementation of the Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17, which provides that CEQA "does not apply to the adoption of an ordinance by a city or county to implement the provisions of Sections 65852.1 or 65852.2 of the Government Code." This Ordinance was adopted and is extended to implement changes in Government Code Section 65852.2, and thus is exempt from CEQA's environmental review requirements.

**NOW, THEREFORE, BE IT RESOLVED:** That after careful consideration of maps, facts, exhibits, testimony, staff reports, public comments, other evidence submitted in this matter, and the substantial evidence in the record, the Planning Commission recommends that the City Council:

1. Find that the adoption of the Ordinance is exempt from the California Environmental Quality Act of 1970 ("CEQA") pursuant to Public resources Code Section 21080.17; and
2. Adopt Ordinance amending the South Gate Municipal Code Chapter 11.43 Second Dwelling Ordinance to replace Interim Urgency Ordinances Nos. 2336 and 2338 to establish standards and ministerial process for approving Accessory Dwelling Units,
  - a. **Minimum Lot Requirements (Section 11.43.030(I)(2)):** Reduce the minimum lot size for an attached/detached ADU from 6,000 square feet to 5,000 square feet.
  - b. **Gross Floor Area (Section 11.43.030(M)(6)):** Increase the maximum size of an ADU from 640 square feet or 30% of the main dwelling (whichever is less), to 640 square feet or 50% of the main dwelling (whichever is less).
  - c. **Continuous Owner Occupancy (Section 11.43.030(H) and 11.43.050(D)):** Insert the word "continuous" in sections stating that an ADU may be rented for not less than 30 days. The new verbiage would read as follows: "The other dwelling unit may be rented for a period of not less than thirty (30) *continuous* days" and "That any rental of either the Main Dwelling or Accessory Dwelling Unit not occupied by a natural person who is an owner of the subject property or the beneficial interest holder must be for a term longer than thirty (30) *continuous* days."

**BE IT FURTHER RESOLVED**, that the Secretary of this Commission be directed to transmit to the City Council a copy of this resolution as the report of the findings and recommendations of the Planning Commission with reference to this matter.

This Resolution was adopted by the following vote at the Planning Commission meeting of February 21, 2019.

**AYES: Chairperson Delgado, Vice Chairperson Hurtado, Commissioners  
Masushige, Perez, and Velasquez**

**NOES:**

**ABSENT:**

**NOT VOTING:**

**APPROVED and ADOPTED** this 21st day of February, 2019.

  
\_\_\_\_\_  
Joe Pérez  
Secretary  
City Planning Commission

**APPROVED:**

  
\_\_\_\_\_  
Jose Delgado  
Chairperson, City Planning Commission

## Accessory Dwelling Unit State Law

**65852.150.** (a) The Legislature finds and declares all of the following:

- (1) Accessory dwelling units are a valuable form of housing in California.
  - (2) Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods.
  - (3) Homeowners who create accessory dwelling units benefit from added income, and an increased sense of security.
  - (4) Allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock in California.
  - (5) California faces a severe housing crisis.
  - (6) The state is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners.
  - (7) Accessory dwelling units offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.
  - (8) Accessory dwelling units are, therefore, an essential component of California's housing supply.
- (b) It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.
- (c) Notwithstanding Section 65803, this section shall also apply to a charter city.

*(Amended by Stats. 2018, Ch. 856, Sec. 4. (SB 1333) Effective January 1, 2019.)*

**65852.2.** (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily use. The ordinance shall do all of the following:

- (A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on criteria that may include, but are not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.
- (B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, lot coverage, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.
- (ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.
- (C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.
- (D) Require the accessory dwelling units to comply with all of the following:
- (i) The unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.
  - (ii) The lot is zoned to allow single-family or multifamily use and includes a proposed or existing single-family dwelling.
  - (iii) The accessory dwelling unit is either attached or located within the living area of the proposed or existing primary dwelling or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.
  - (iv) The total area of floorspace of an attached accessory dwelling unit shall not exceed 50 percent of the proposed or existing primary dwelling living area or 1,200 square feet.
  - (v) The total area of floorspace for a detached accessory dwelling unit shall not exceed 1,200 square feet.
  - (vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
  - (vii) No setback shall be required for an existing garage that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
  - (viii) Local building code requirements that apply to detached dwellings, as appropriate.

- (ix) Approval by the local health officer where a private sewage disposal system is being used, if required.
- (x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.
- (II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
- (III) This clause shall not apply to a unit that is described in subdivision (d).
- (xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, and the local agency requires that those offstreet parking spaces be replaced, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts. This clause shall not apply to a unit that is described in subdivision (d).
- (2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
- (3) When a local agency receives its first application on or after July 1, 2003, for a permit pursuant to this subdivision, the application shall be considered ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, within 120 days after receiving the application. A local agency may charge a fee to reimburse it for costs that it incurs as a result of amendments to this paragraph enacted during the 2001-02 Regular Session of the Legislature, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.
- (4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency subsequent to the effective date of the act adding this paragraph shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. In the event that a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void upon the effective date of the act adding this paragraph and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.
- (5) No other local ordinance, policy, or regulation shall be the basis for the denial of a building permit or a use permit under this subdivision.
- (6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot zoned for residential use that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be utilized or imposed, except that a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.
- (7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.
- (8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
- (b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a) within 120 days after receiving the application.
- (c) A local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units. No minimum or maximum size for an accessory dwelling unit, or size based upon a percentage of the proposed or existing primary dwelling, shall be established by ordinance for either attached or detached dwellings that does not permit at least an efficiency unit to be constructed in compliance with local development standards. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

- (1) The accessory dwelling unit is located within one-half mile of public transit.
- (2) The accessory dwelling unit is located within an architecturally and historically significant historic district.
- (3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
- (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- (5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit to create within a zone for single-family use one accessory dwelling unit per single-family lot if the unit is contained within the existing space of a single-family residence or accessory structure, including, but not limited to, a studio, pool house, or other similar structure, has independent exterior access from the existing residence, and the side and rear setbacks are sufficient for fire safety. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. A city may require owner occupancy for either the primary or the accessory dwelling unit created through this process.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) Accessory dwelling units shall not be considered by a local agency, special district, or water corporation to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

(A) For an accessory dwelling unit described in subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

(B) For an accessory dwelling unit that is not described in subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) Local agencies shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. The department may review and comment on this submitted ordinance.

(i) As used in this section, the following terms mean:

(1) "Living area" means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

(3) For purposes of this section, "neighborhood" has the same meaning as set forth in Section 65589.5.

(4) "Accessory dwelling unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(5) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(6) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(j) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.

*(Amended by Stats. 2017, Ch. 602, Sec. 1.5. (AB 494) Effective January 1, 2018.)*

RECEIVED

MAR 6 2019

Item No. 5

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

*City of South Gate*  
CITY COUNCIL

9:50am

AGENDA BILL

For the Regular Meeting of: March 12, 2019

Originating Department: Community Development

Department Director:

*Joe Perez*  
Joe Pérez

City Manager:

*Michael Flad*  
Michael Flad

**SUBJECT: ORDINANCE AMENDING SECTION 1.59.040 (ISSUANCE OF ADMINISTRATIVE CITATION; CONTENTS THEREOF) OF THE SOUTH GATE MUNICIPAL CODE, FOR THE IMMEDIATE IMPOSITION OF ADMINISTRATIVE CITATIONS FOR VIOLATIONS OF BUILDING, PLUMBING, ELECTRICAL, OR OTHER SIMILAR STRUCTURAL, HEALTH AND SAFETY, OR ZONING REQUIREMENTS RESULTING FROM ILLEGAL CANNABIS CULTIVATION**

**PURPOSE:** To consider an Ordinance authorizing the immediate issuance of administrative citations for building and zoning code violations resulting from or facilitating illegal cultivation of cannabis, in accordance with Assembly Bill (AB) 2164, which went into effect on January 1, 2019.

**RECOMMENDED ACTION:** Following the conclusion of the public hearing, waive the reading in full and introduce Ordinance amending Section 1.59.040 (Issuance of Administrative Citation; Contents Thereof), Chapter 1.59 (Administrative Citations) of Title 1 (Administration and Personnel), of the South Gate Municipal Code, to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis.

*FF*

**FISCAL IMPACT:** Administrative citations are deposited into the City's General Fund. The citations will not create additional expenses; however, they may generate an undetermined amount of revenue.

**ALIGNMENT WITH COUNCIL GOALS:** The adoption of this Ordinance authorizing the issuance of administrative citations due to illegal cultivation of cannabis supports the goal of protecting strong and sustainable neighborhoods, by creating a deterrent to illegal/unpermitted cultivation of cannabis, in the form of fines.

**ANALYSIS:** Under California law, Assembly Bill (AB) 2164, which became effective on January 1, 2019, authorizes a city to adopt an ordinance making any violation of the municipal code subject to an administrative penalty. In most cases the amount of the administrative penalty

shall not exceed the maximum fine set in Government Code Section 36900(b), which is \$100 for the first violation, \$200 for the second violation within a year, and \$500 for the third and subsequent violation in a year.<sup>1</sup>

Currently, the City must provide “reasonable period of time” to complete the abatement of a violation, prior to issuing an administrative citation. AB 2164 allows for the immediate issuance of an administrative citation for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning codes if the violation relates to the illegal cultivation of cannabis, and creates an immediate danger to health or safety.

However, AB 2164 provides an exception applicable to administrative citations issued to the owners of rental properties: the City must provide those owners with a “reasonable period of time” for the correction or remedy of the violation if all of the following three conditions are met:

1. A tenant is in possession of the property that is the subject of the administrative action;
2. The rental property owner can provide evidence that the rental agreement prohibits the cultivation of cannabis; and
3. The rental property owner did not know that the tenant was illegally cultivating cannabis and no complaint, property inspection, or other information caused the rental property owner or agent to have actual notice of the illegal cannabis cultivation.

Through authorizing citations for building and zoning code violations deriving from illegal cultivation of cannabis, the City aims to encourage property owners who rent property to ascertain that their properties are utilized correctly and not be used to grow cannabis.

If the City Council adopts the proposed Ordinance, once effective, the City could more quickly impose administrative fines, upon determining that someone violated the City’s building or zoning laws in connection with illegal cannabis cultivation.

**BACKGROUND:** On September 10, 2018, Governor Brown signed AB 2164 (Cooley) to authorize a local agency, to make any violation of an ordinance subject to an administrative fine or penalty when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues as a result of the illegal cultivation of cannabis. AB 2164 (Cooley) went into effect on January 1, 2019.

On March 13, 2012, the City Council adopted Ordinance No. 2293, which added Chapter 1.59 (Administrative Citations) to the South Gate Municipal Code to allow the issuance of

---

<sup>1</sup> We note that a recent amendment to Government Code Section 36900, which became effective January 1, 2019, added subsection (c) which authorizes higher administrative penalties for certain violations of building and safety codes. This Department believes it would be advisable for the City Council to amend Section 1.59.060.B of the South Gate Municipal Code in order to allow the City to impose these higher penalties. At an upcoming meeting we intend to present the City Council with a formal recommendation to that effect.



administrative citations in lieu of misdemeanors or infractions. In short, the Ordinance was a response to the need of an alternative method of enforcement for violations of the South Gate Municipal Code that allows for the abatement of violations.

**ATTACHMENTS:** A. Proposed Ordinance  
B. Proposed Ordinance with redlines  
C. Assembly Bill 2164

**ORDINANCE NO. \_\_\_\_\_**

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

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, AMENDING SECTION 1.59.040 (ISSUANCE OF ADMINISTRATIVE CITATION; CONTENTS THEREOF), OF CHAPTER 1.59 (ADMINISTRATIVE CITATIONS), OF TITLE 1 (ADMINISTRATION AND PERSONNEL), OF THE SOUTH GATE MUNICIPAL CODE TO PROVIDE FOR THE IMMEDIATE IMPOSITION OF ADMINISTRATIVE FINES OR PENALTIES FOR THE VIOLATION OF BUILDING, PLUMBING, ELECTRICAL, OR OTHER SIMILAR STRUCTURAL, HEALTH AND SAFETY, OR ZONING REQUIREMENTS IF THE VIOLATION EXISTS AS A RESULT OF, OR TO FACILITATE, THE ILLEGAL CULTIVATION OF CANNABIS**

**WHEREAS**, California Government Code Section 53069.4 authorizes local jurisdictions to enact legislation making violations of the City's laws subject to an administrative fine or penalty; and

**WHEREAS**, existing law requires a local agency to provide for a reasonable period of time, for a person responsible for a continuing violation, to correct or otherwise remedy the violation prior to the imposition of administrative fines or penalties, when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues, that do not create an immediate danger to health or safety; and

**WHEREAS**, on March 13, 2012, the City Council adopted Ordinance No. 2293, adding Chapter 1.59 (Administrative Citations), to Title 1 (Administration and Personnel), of the South Gate Municipal Code to allow the issuance of administrative citations in lieu of misdemeanors or infractions; and

**WHEREAS**, Assembly Bill 2164 (Cooley), effective on January 1, 2019, amended said Section 54069.4 to allow a local agency, by ordinance, to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis; and

**WHEREAS**, during the regularly scheduled City Council meeting of March 12, 2019, the City Council held a duly noticed public hearing to take public testimony and consider introducing this Ordinance;

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

**SECTION 1.** The City Council hereby amends Section 1.59.040 (Issuance of Administrative Citation; Contents Thereof), of Chapter 1.59 (Administrative Citations), of Title 1 (Administration and Personnel), of the South Gate Municipal Code in its entirety to read as follows:

**1.59.040 Issuance of administrative citation—Contents thereof.**

- A. Whenever an officer determines that a violation of the code has occurred, the officer may issue a citation on a city-approved form imposing an administrative fine or fines to the responsible person(s) in accordance with the provisions of this chapter.
- B. When the violation pertains to building, plumbing, electrical or other similar structural or zoning issues that create an immediate danger to health or safety, a citation may be issued forthwith. In the absence of an immediate danger, a citation for a violation pertaining to building, plumbing, electrical, or other similar structural or zoning issues shall not be issued pursuant to this chapter unless the responsible person has first been provided with a reasonable period, as determined by the officer, in which to complete the abatement or compliance actions.
- C. Notwithstanding the foregoing and subject to subsection D., below, administrative fines may be imposed immediately pursuant to Government Code Section 53069.4 for the violation of any building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements, if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis.
- D. Before a person is issued a citation pursuant to subsection C., above, for a first offense, that person shall have the time provided in subsection B., above, to correct or remedy the violation, if all of the following are true:
  - 1. A tenant is in possession of the property that is the subject of the administrative action;
  - 2. The subject rental property owner or agent can provide evidence the subject rental or lease agreement prohibits the cultivation of cannabis; and
  - 3. The subject rental property owner or agent did not know the tenant was illegally cultivating cannabis and no complaint, property inspection, or other information caused the rental property owner or agent to have actual notice of the illegal cannabis cultivation.
- E. An officer may issue a citation for a violation not committed in the officer's presence if the officer has determined, through investigation that the citee did commit, or is otherwise responsible for, the violation.
- F. Each day, or any portion thereof, that a prohibited condition, use or activity under the code is committed, continued or permitted shall constitute a separate violation for which an administrative fine may be imposed. A single citation may charge multiple violations of the code; however, each violation is subject to a separate and distinct administrative fine.

G. Each citation shall contain the following information:

1. Name and mailing address of the responsible person;
2. The address or description of the location of the violation;
3. The date and approximate time of the commission of the violation(s), or detection thereof by an officer;
4. The relevant provision(s) or section(s) of the code alleged to have been violated;
5. A description of the violation(s);
6. Amount of the fine for each violation, the procedure and place to pay the fine(s) and/or reinspection fees, and any late penalty and/or interest charge(s), if not timely paid;
7. When appropriate, the action(s) required to correct the violation(s), and, if applicable, any deadlines or time limitations for commencing and completing such action(s);
8. A description of the administrative citation review process and the manner by which a hearing on a citation may be obtained (including the form to be used, where it may be procured from, and the period in which a request must be made in order to be timely);
9. The name and signature of the officer, and the signature of the citee, if he or she is physically present and will sign the citation at the time of its issuance. The refusal of a citee to sign a citation shall not affect its validity or any related subsequent proceeding, nor shall signing a citation constitute an admission that a person has committed a violation of the code;
10. A statement that the failure to timely tender the fine(s) and other fees, costs, and/or charges imposed pursuant to this chapter may result in the recordation of a lien, a delay in the issuance or renewal of any city license, permit, and/or other collection efforts as allowed by law; and
11. Any other information deemed necessary by the city manager.

**SECTION 2.** This Ordinance is exempt from CEQA as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section 15061 (b) (3) of the CEQA Regulations (14 CCR § 15061).

**SECTION 3.** This Ordinance shall take effect and be enforced on the thirty-first (31<sup>st</sup>) day after its adoption.

**SECTION 4.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

**PASSED, APPROVED and ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2019.


**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Raul F. Salinas, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

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

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, AMENDING SECTION 1.59.040 (ISSUANCE OF ADMINISTRATIVE CITATION; CONTENTS THEREOF), OF CHAPTER 1.59 (ADMINISTRATIVE CITATIONS), OF TITLE 1 (ADMINISTRATION AND PERSONNEL), OF THE SOUTH GATE MUNICIPAL CODE TO PROVIDE FOR THE IMMEDIATE IMPOSITION OF ADMINISTRATIVE FINES OR PENALTIES FOR THE VIOLATION OF BUILDING, PLUMBING, ELECTRICAL, OR OTHER SIMILAR STRUCTURAL, HEALTH AND SAFETY, OR ZONING REQUIREMENTS IF THE VIOLATION EXISTS AS A RESULT OF, OR TO FACILITATE, THE ILLEGAL CULTIVATION OF CANNABIS**

**WHEREAS**, California Government Code Section 53069.4 authorizes local jurisdictions to enact legislation making violations of the City's laws subject to an administrative fine or penalty; and

**WHEREAS**, existing law requires a local agency to provide for a reasonable period of time, for a person responsible for a continuing violation, to correct or otherwise remedy the violation prior to the imposition of administrative fines or penalties, when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues, that do not create an immediate danger to health or safety; and

**WHEREAS**, on March 13, 2012, the City Council adopted Ordinance No. 2293, adding Chapter 1.59 (Administrative Citations), to Title 1 (Administration and Personnel), of the South Gate Municipal Code to allow the issuance of administrative citations in lieu of misdemeanors or infractions; and

**WHEREAS**, Assembly Bill 2164 (Cooley), effective on January 1, 2019, amended said Section 54069.4 to allow a local agency, by ordinance, to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis; and

**WHEREAS**, during the regularly scheduled City Council meeting of March 12, 2019, the City Council held a duly noticed public hearing to take public testimony and consider introducing this Ordinance;

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

**SECTION 1.** The City Council hereby amends Section 1.59.040 (Issuance of Administrative Citation; Contents Thereof), of Chapter 1.59 (Administrative Citations), of Title 1 (Administration and Personnel), of the South Gate Municipal Code in its entirety to read as follows:

**1.59.040 Issuance of administrative citation—Contents thereof.**

- A. Whenever an officer determines that a violation of the code has occurred, the officer may issue a citation on a city-approved form imposing an administrative fine or fines to the responsible person(s) in accordance with the provisions of this chapter.
- B. When the violation pertains to building, plumbing, electrical or other similar structural or zoning issues that create an immediate danger to health or safety, a citation may be issued forthwith. In the absence of an immediate danger, a citation for a violation pertaining to building, plumbing, electrical, or other similar structural or zoning issues shall not be issued pursuant to this chapter unless the responsible person has first been provided with a reasonable period, as determined by the officer, in which to complete the abatement or compliance actions.
- C. Notwithstanding the foregoing and subject to subsection D., below, administrative fines may be imposed immediately pursuant to Government Code Section 53069.4 for the violation of any building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements, if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis.
- D. Before a person is issued a citation pursuant to subsection C., above, for a first offense, that person shall have the time provided in subsection B., above, to correct or remedy the violation, if all of the following are true:
  - 1. A tenant is in possession of the property that is the subject of the administrative action;
  - 2. The subject rental property owner or agent can provide evidence the subject rental or lease agreement prohibits the cultivation of cannabis; and
  - 3. The subject rental property owner or agent did not know the tenant was illegally cultivating cannabis and no complaint, property inspection, or other information caused the rental property owner or agent to have actual notice of the illegal cannabis cultivation.
- ~~E.~~ An officer may issue a citation for a violation not committed in the officer's presence if the officer has determined, through investigation that the citee did commit, or is otherwise responsible for, the violation.
- ~~D F.~~ Each day, or any portion thereof, that a prohibited condition, use or activity under the code is committed, continued or permitted shall constitute a separate violation for which an administrative fine may be imposed. A single citation may charge multiple violations of the code; however, each violation is subject to a separate and distinct administrative fine.

**E G.** Each citation shall contain the following information:

1. Name and mailing address of the responsible person;
2. The address or description of the location of the violation;
3. The date and approximate time of the commission of the violation(s), or detection thereof by an officer;
4. The relevant provision(s) or section(s) of the code alleged to have been violated;
5. A description of the violation(s);
6. Amount of the fine for each violation, the procedure and place to pay the fine(s) and/or reinspection fees, and any late penalty and/or interest charge(s), if not timely paid;
7. When appropriate, the action(s) required to correct the violation(s), and, if applicable, any deadlines or time limitations for commencing and completing such action(s);
8. A description of the administrative citation review process and the manner by which a hearing on a citation may be obtained (including the form to be used, where it may be procured from, and the period in which a request must be made in order to be timely);
9. The name and signature of the officer, and the signature of the citee, if he or she is physically present and will sign the citation at the time of its issuance. The refusal of a citee to sign a citation shall not affect its validity or any related subsequent proceeding, nor shall signing a citation constitute an admission that a person has committed a violation of the code;
10. A statement that the failure to timely tender the fine(s) and other fees, costs, and/or charges imposed pursuant to this chapter may result in the recordation of a lien, a delay in the issuance or renewal of any city license, permit, and/or other collection efforts as allowed by law; and
11. Any other information deemed necessary by the city manager.



**SECTION 2.** This Ordinance is exempt from CEQA as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Section 15061 (b) (3) of the CEQA Regulations (14 CCR § 15061).

**SECTION 3.** This Ordinance shall take effect and be enforced on the thirty-first (31<sup>st</sup>) day after its adoption.

**SECTION 4.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

**PASSED, APPROVED and ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Raul F. Salinas, City Attorney



## Assembly Bill No. 2164

### CHAPTER 316

An act to amend Section 53069.4 of the Government Code, relating to local government.

[Approved by Governor September 10, 2018. Filed with Secretary of State September 10, 2018.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2164, Cooley. Local ordinances: fines and penalties: cannabis.

Existing law authorizes the legislative body of a local agency, as defined, to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty, as specified. Existing law requires the ordinance adopted by the local agency to provide for a reasonable period of time, as specified in the ordinance, for a person responsible for a continuing violation to correct or otherwise remedy the violation prior to the imposition of administrative fines or penalties, when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues, that do not create an immediate danger to health or safety.

This bill would allow the ordinance to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis, except as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 53069.4 of the Government Code is amended to read:

53069.4. (a) (1) The legislative body of a local agency, as the term "local agency" is defined in Section 54951, may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. The local agency shall set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties. Where the violation would otherwise be an infraction, the administrative fine or penalty shall not exceed the maximum fine or penalty amounts for infractions set forth in Section 25132 and subdivision (b) of Section 36900.

(2) (A) The administrative procedures set forth by ordinance adopted by the local agency pursuant to this subdivision shall provide for a reasonable period of time, as specified in the ordinance, for a person responsible for a

continuing violation to correct or otherwise remedy the violation prior to the imposition of administrative fines or penalties, when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues, that do not create an immediate danger to health or safety.

(B) Notwithstanding subparagraph (A), the ordinance adopted by the local agency pursuant to this subdivision may provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result of, or to facilitate, the illegal cultivation of cannabis. This subparagraph shall not be construed to apply to cannabis cultivation that is lawfully undertaken pursuant to Section 11362.1 of the Health and Safety Code.

(C) If a local agency adopts an ordinance that provides for the immediate imposition of administrative fines or penalties as allowed in subparagraph (B), that ordinance shall provide for a reasonable period of time for the correction or remedy of the violation prior to the imposition of administrative fines or penalties as required in subparagraph (A) if all of the following are true:

(i) A tenant is in possession of the property that is the subject of the administrative action.

(ii) The rental property owner or agent can provide evidence that the rental or lease agreement prohibits the cultivation of cannabis.

(iii) The rental property owner or agent did not know the tenant was illegally cultivating cannabis and no complaint, property inspection, or other information caused the rental property owner or agent to have actual notice of the illegal cannabis cultivation.

(b) (1) Notwithstanding Section 1094.5 or 1094.6 of the Code of Civil Procedure, within 20 days after service of the final administrative order or decision of the local agency is made pursuant to an ordinance enacted in accordance with this section regarding the imposition, enforcement, or collection of the administrative fines or penalties, a person contesting that final administrative order or decision may seek review by filing an appeal to be heard by the superior court, where the same shall be heard de novo, except that the contents of the local agency's file in the case shall be received in evidence. A proceeding under this subdivision is a limited civil case. A copy of the document or instrument of the local agency providing notice of the violation and imposition of the administrative fine or penalty shall be admitted into evidence as prima facie evidence of the facts stated therein. A copy of the notice of appeal shall be served in person or by first-class mail upon the local agency by the contestant.

(2) The fee for filing the notice of appeal shall be as specified in Section 70615. The court shall request that the local agency's file on the case be forwarded to the court, to be received within 15 days of the request. The court shall retain the fee specified in Section 70615 regardless of the outcome of the appeal. If the court finds in favor of the contestant, the amount of the fee shall be reimbursed to the contestant by the local agency. Any deposit

of the fine or penalty shall be refunded by the local agency in accordance with the judgment of the court.

(3) The conduct of the appeal under this section is a subordinate judicial duty that may be performed by traffic trial commissioners and other subordinate judicial officials at the direction of the presiding judge of the court.

(c) If no notice of appeal of the local agency's final administrative order or decision is filed within the period set forth in this section, the order or decision shall be deemed confirmed.

(d) If the fine or penalty has not been deposited and the decision of the court is against the contestant, the local agency may proceed to collect the penalty pursuant to the procedures set forth in its ordinance.

O

**RECEIVED**

FEB 25 2019

**Item No. 6**

**CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER**

*City of South Gate*  
**CITY COUNCIL**

7:45am

**AGENDA BILL**

For the Regular Meeting of: March 12, 2019

Originating Department: Community Development

Department Director: Joe Perez  
Joe Perez

City Manager: Michael Flad  
Michael Flad

**SUBJECT: PROJECTS AND ALLOCATIONS ELIGIBLE FOR FUNDING FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2019/20**

**PURPOSE:** To consider the Citizen’s Advisory Committee’s (CAC) recommended projects and funding amounts to be appropriated from Community Development Block Grant (CDBG) funds for fiscal year 2019/20.

**RECOMMENDED ACTIONS:** Following the conclusion of the Public Hearing:

- a. Consider the recommended Citizen’s Advisory Committee’s list of proposed projects and allocations for Community Development Block Grant funds for fiscal year 2019/20; and
- b. Determine the amounts to be appropriated per project from the estimated \$1,500,000 Community Development Block Grant funding for fiscal year 2019/20.

**FISCAL IMPACT:** There is no fiscal impact to the General Fund. The fiscal impact will be the expenditure of approximately \$1,500,000 in CDBG funds during fiscal year 2019/20. However, funding amounts are subject to change due to Congressional restrictions.

**ALIGNMENT WITH COUNCIL GOALS:** The projects and activities recommended by the CAC meet the City Council’s goals to continue creating and protecting strong and sustainable neighborhoods by providing home improvement programs, eliminating graffiti, and assisting disabled and potentially homeless individuals. In addition, the Park Fence Restoration and Replacement project will support the goal of continuing infrastructure improvements.

**NOTICING REQUIREMENTS:** Advertising and notification of the Public Hearing was conducted in compliance with Municipal Code 11.50.020 and was published in the Los Angeles WAVE on February 21, 2019.

**ANALYSIS:** The action before the City Council is part of the established CDBG funding allocation process. The Department of Housing and Urban Development (HUD) generally informs cities of their CDBG funding in July or August of each year. Since this occurs after the date the City begins the application process, staff estimated the CDBG allotment based on the previous year funding. It is anticipated that the City will receive \$1,400,000 in fiscal year 2019/20. When combined with \$100,000 in carryover funds, the total amount of CDBG funding for fiscal year 2019/20 is estimated to be \$1,500,000.

HUD allows 20% (\$280,000) of the annual CDBG allocation to go towards administrative costs including salaries, training, benefits, postage, maintenance of equipment, etc., and for Fair Housing (\$24,000). Only 15% (\$210,000) of the total annual allocation is allowed for Public Services Projects. \$100,000 also goes to Home Delivery administration. This leaves \$910,000 for Non-Public Service Projects. If fewer CDBG funds are received than anticipated, City Council approved projects will be reduced on a pro-rata basis, as per past practice.

Below is a brief description of each of the projects recommended by the CAC:

#### Non-Public Service Projects

- *Code Enforcement:* The Code Enforcement Program addresses the elimination of blight, building and property maintenance violations, illegal dumping and enforces substandard building, electrical, plumbing, and mechanical health and safety codes.
- *SG Park Fence Restoration and Replacement:* The Park Fence Restoration and Replacement Project proposes to reconstruct fencing that separates playgrounds from nearby streets, prevents patrons from wandering into sporting events and protects individuals from entering into potentially dangerous areas such as unguarded swimming pools.
- *Commercial Façade:* The Commercial Façade Program will offer up to \$40,000 to existing or new business owners to make exterior commercial façade improvements such as new signage, installation of new doors and windows, new paint and exterior lighting. Participants must provide a 20% match, remove all exterior violations, and sign a contract with a licensed contractor.
- *Tweedy Mile Window and Door Enhancement:* The Tweedy Mile Window and Door Enhancement Program will assist eligible business owners along the Tweedy Mile with broken windows, front door replacement, and anti-graffiti film installation on windows.

#### Public Service Projects

- *Family Violence Prevention and Education:* The Family Violence Prevention and Education Program promotes awareness and education about issues related to domestic violence. This program provides those impacted by family violence with counseling, support groups, referrals to community resources, and assistance with placement into shelters if necessary.
- *South Gate Police Explorers:* The South Gate Police Explorers Program provides training for youths (ages 14-21) who are interested in pursuing a career in law enforcement. Police Explorers are used as a supplement to sworn personnel in non-hazardous situations and community events.
- *Graffiti Abatement:* The Graffiti Abatement Program currently services eligible low- and Moderate-income services areas in removing graffiti. The program addresses removal of graffiti on both residential and business structures in the public right-of-way, sidewalks and street surfaces and other public surfaces.

- *Salvation Army Bell Shelter:* The Salvation Army Bell Shelter proposes to operate a Community Service Program exclusively for residents of the City of South Gate who are experiencing homelessness. The program will offer temporary housing for up to 90 days. Supportive services include comprehensive needs assessment, individualized case management, benefits advocacy transportation services and life skills classes. The project proposes to serve 11 individuals during the one year contract.
- *Helpline Youth Counseling:* Helpline Youth Counseling will assist low and moderate income households at risk of experiencing homelessness to achieve and maintain housing stability. Services include rental payments, security and utility deposits, case management, and intake and assessment needs. The program offers housing search/placement services, mediation, legal services and credit repair.
- *Southern California Resource Services:* Southern California Resource Services' Assistive Technology Program provides equipment such as wheelchair ramps, grab bars, and comfort height toilets to mobility impaired low income individuals. Other mobility devices include walkers, wheelchairs and shower seats. The program will also offer minor home modifications such as door widening, lowering counter tops and installing accessible sinks and appliances.

In addition to the above projects, there is one CDBG funded project as listed on the attached funding breakdown spreadsheet as follows:

- *Program Delivery Costs:* HUD allows the use of CDBG funds to cover staff costs directly related to administering the Homeowner Rehabilitation Program funded with HOME Investment Partnerships funds. The Homeowner Rehabilitation Program makes zero interest loans up to \$65,000 to low income eligible homeowners to make needed repairs.

**BACKGROUND:** During the month of October, letters were sent to non-profit organizations and city departments and a legal notice of funding availability was published on October 4, 2018, to inform prospective applicants of the availability of CDBG funds for fiscal year 2019-20. Applications were made available at mandatory meetings held in November where the application process was explained in detail and questions were answered. Completed applications were accepted in the City Clerk's office up until the deadline date of November 29, 2018. The CAC reviewed the applications and later heard presentations from the applicants at their meetings of January 23, 2019 and January 30, 2019. On February 6, 2019, the CAC discussed and recommended approval of the attached list of projects and allocations.

Upon approval of the CDBG projects and allocations, the Annual Action Plan Update will be finalized for submittal to HUD on or before May 15, 2019. The Annual Action Plan Update is both an application and a plan required by HUD for cities receiving funding from the CDBG program. Any changes made on projects or allocations after that date can only be approved pursuant to a Substantial Amendment which requires a public hearing process.

- ATTACHMENTS:**
- A. CAC and staff recommended projects and allocations
  - B. Public Notice for CAC's recommended projects and allocations
  - C. Public Notice of Availability of Funds

## CDBG FUNDING SUMMARY

CDBG REVENUES	FY 2018-19 Budgeted	FY 2019-20 Estimated
CDBG Annual Allocation	\$1,456,142	\$1,400,000
Carry-Over from Prior Years (not used to determine funding caps)	\$35,324	\$100,000
<b>Total CDBG Revenues</b>	<b>\$1,491,466</b>	<b>\$1,500,000</b>

CDBG EXPENDITURES	FY 2018-19 Budgeted	FY 2019-20 Estimated
Program Admin. (up to 20% of FY allocation - includes \$24,000 for Fair Housing Foundation)	\$291,228	\$280,000
Program Delivery (Home Imp. Program)	\$100,000	\$100,000
Minor Home Improvement Program	\$100,000	\$0
Public Service Projects (up to 15% of annual allocation)	\$195,000	\$210,000
Non-Public Service Projects	\$805,238	\$910,000
<b>Total Service Project Funding</b>	<b>\$1,491,466</b>	<b>\$1,500,000</b>



## CDBG Funding Requests & Recommendations – Service Projects (FY 2019-20)

NON-PUBLIC SERVICE PROJECTS (\$910,000 AVAILABLE)	FY 2018-19 CAC Approved	FY 2019-20 Requested	FY 2019-20 Staff Recommend	FY 2019-20 CAC Recommend	FY 2019-20 CC Approved
Code Enforcement	\$375,000	\$375,000	\$375,000	\$375,000	
Fence Repair (Parks)		\$850,000	\$275,000	\$275,000	
Sidewalk Improvement, Phase VII	\$140,000	\$140,000	\$0	\$0	
Commercial Façade Improvement	\$120,000	\$300,000	\$200,000	\$200,000	
Relocation of Glenn T. Seaborg House	\$124,914	\$0	\$0	\$0	
Tweedy Mile, Repair of Windows and Doors	\$45,324	\$80,000	\$60,000	\$60,000	
<b>Total Non-Public Service Requests</b>	<b>\$805,238</b>	<b>\$1,745,000</b>	<b>\$910,000</b>	<b>\$910,000</b>	<b>\$0</b>

PUBLIC SERVICE PROJECTS (\$210,000 AVAILABLE)	FY 18-19 CC Approved	FY 2019-20 Requested	FY 2019-20 Staff Recommend.	FY 2019-20 CAC Recommend.	FY 2019-20 CC Approved
Family Violence Prevention and Education	\$10,000	\$10,000	\$10,000	\$10,000	
Police Explorers	\$7,000	\$7,000	\$7,000	\$7,000	
Graffiti Abatement	\$140,000	\$140,000	\$140,000	\$140,000	
Salvation Army (Bell Shelter)	\$20,000	\$40,000	\$22,500	\$22,500	
Helpline Youth Counseling	\$5,500	\$40,000	\$22,500	\$22,500	
The Human Element Passage	\$0	\$1,040	\$0	\$0	
Southern California Rehabilitation Svcs	\$7,000	\$8,000	\$8,000	\$8,000	
Compatior	\$0	\$30,000	\$0	\$0	
Hub Cities	\$5,500	\$0	\$0	\$0	
<b>Total Public Service Requests</b>	<b>\$195,000</b>	<b>\$276,040</b>	<b>\$210,000</b>	<b>\$210,000</b>	<b>\$0</b>

**CITY OF SOUTH GATE  
NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the City of South Gate, California may receive approximately \$1,500,000.00 dollars in Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). Additionally, the City will carry over approximately \$100,000 from prior years to fund projects during Fiscal Year 2019/20. As part of this process, the City Council of South Gate will be conducting a Public Hearing to consider approving the Citizens Advisory Committee's (CAC) list of recommended projects and allocations.

**DATE OF HEARING:** Tuesday, March 12, 2019

**TIME OF HEARING:** 6:30 p.m.

**LOCATION OF HEARING:** City Hall Council Chamber  
City of South Gate  
8650 California Avenue  
South Gate, CA 90280

The CAC's recommendations are as follows:

CDBG Allocation	<b>\$1,400,000:</b>
Carry-over from prior years	<b>\$ 100,000</b>
<b>CDBG Allocation Total</b>	<b>\$1,500,000:</b>

Program Administration Cap at 20%:	\$280,000
Includes Fair Housing Foundation: (\$24,000)	
Public Service Allocation Cap at 15%:	\$210,000
Program Delivery	\$100,000

<u>Non-Public Service Requests Available</u>	<b>\$910,000:</b>
Code Enforcement:	\$375,000
S.G. Park Fence Restoration and Replacement:	\$275,000
Commercial Façade Improvement	\$200,000
Tweedy Mile - <i>Window/Door Repairs:</i>	\$ 60,000

<u>Public Service Projects Available</u>	<b>\$210,000:</b>
Police Department – <i>Family Violence Prevention &amp; Education:</i>	\$ 10,000
Police Department - <i>Police Explorers:</i>	\$ 7,000
Public Works Department - <i>Graffiti Abatement:</i>	\$140,000
The Salvation Army - <i>Homeless Shelter:</i>	\$ 22,500
Helpline Youth Counseling – <i>Homelessness Prevention:</i>	\$ 22,500
The Human Element Passage	\$ 0
Southern California Rehabilitation Services:	\$ 8,000
Comptior	\$ 0

**INVITATION TO BE HEARD:**

All interested persons are invited to the Public Hearing to be heard. In addition, written comments may be submitted to the City Council prior to the hearing. Comments may be submitted in writing by mailing comments to City of South Gate, Community Development Department, Attn: Vivian M. Garcia, Housing Administrator, 8650 California Avenue, South Gate, CA 90280.

**ESPAÑOL**

Información en Español acerca de esta junta puede ser obtenida llamando al (323) 563-9528.

/s/ Vivian M. Garcia, Housing Administrator  
/s/ Carmen Avalos, City Clerk

**Published: February 21, 2019 Los Angeles WAVE**

PUBLIC NOTICE  
CITY OF SOUTH GATE

Office of the  
South Gate City Clerk

SEP 26 2018

FILED

AVAILABILITY OF FUNDS AND REQUEST FOR PROPOSALS

**NOTICE IS HEREBY GIVEN** that the City of South Gate is entitled to receive an estimated \$1,400,000 dollars in Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) for Fiscal Year 2019-20. Of the total estimated amount, a maximum of fifteen percent (15%) or **approximately \$210,000** will be available to applicants for Public Service projects.

Proposed Public Service projects are required to *benefit low to moderate-income City residents* and meet a HUD eligible activity, including but not limited to those concerned with *crime prevention, child care, health, drug abuse, education, fair housing counseling, senior services, youth at-risk assistance or recreational needs*. A complete list of the eligible activities is available at South Gate City Hall in the Housing Division of the Community Development Department or online at the *U.S Government Printing Office website: www.ecfr.gov, Title 24 - CFR 570 -CDBG, Subpart C, §570.201(e)*.

Public Service organizations and Non-Public Service organizations interested in applying for CDBG funding must attend a **mandatory** workshop to be **eligible** to receive an application as follows:

**PUBLIC SERVICE ORGANIZATIONS DATE OF WORKSHOP:** Monday, October 29, 2018  
**TIME:** 10:00A.M.  
**LOCATION:** South Gate Civic Center Museum  
8680 California Avenue, South Gate,  
CA 90280

**NON-PUBLIC SERVICE ORGANIZATIONS**  
**DATE OF WORKSHOP:** Monday, October 29, 2018  
**TIME:** 2:00P.M.  
**LOCATION:** South Gate Civic Center Museum  
8680 California Avenue, South Gate,  
CA 90280

Applicant personnel who will be designated on the proposed application as responsible for writing the grant application and managing the project are **required** to attend the workshop, and submit an **RSVP confirmation** to Abel Torres, Housing and Grants Analyst, [atorres@sogate.org](mailto:atorres@sogate.org) by Thursday, October 18, 2018 with the following information:

- a) Name of organization;
- b) Name of the proposed project;
- c) Name and title of each attendee; and,
- d) Contact information for each attendee

Those desiring further information should contact Abel Torres, Housing and Grants Analyst, (323) 563-9528 [atorres@sogate.org](mailto:atorres@sogate.org), Community Development Department, City of South Gate, 8650 California Avenue, South Gate, CA 90280-3075.

The South Gate Citizen Advisory Committee and City Council will hold a series of Public Hearings to determine and approve the funding recommendations for each Public Service project.

**ESPAÑOL:**

Información en Español acerca de esta junta puede ser obtenida llamando al (323) 563-9592.

/s/ Vivian M. Garcia, Housing Administrator

Published: October 4, 2018 - the Los Angeles WAVE

**RECEIVED**

**Item No. 7**

MAR 4 2019

*City of South Gate*  
CITY COUNCIL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

4:50pm

**AGENDA BILL**

For the Regular Meeting of: March 12, 2019

Originating Department: Community Development

Department Director:

*Joe Perez*  
Joe Perez

City Manager:

*Michael Flad*  
Michael Flad

**SUBJECT: ORDINANCE ADDING NEW SECTION 11.28.030 (TWEEDY BOULEVARD SPECIFIC PLAN) TO THE SOUTH GATE MUNICIPAL CODE; RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. 2019-01; AND RESOLUTION APPROVING THE INITIAL STUDY AND NEGATIVE DECLARATION PERTAINING TO THE TWEEDY BOULEVARD SPECIFIC PLAN**

**PURPOSE:** During the regularly scheduled City Council meeting of February 12, 2019, the City Council introduced Ordinance No. 2359 adopting the Tweedy Boulevard Specific Plan (Specific Plan). The Ordinance was presented to the City Council for adoption at its regularly scheduled meeting of February 26, 2019; however, the item was continued to the regularly scheduled meeting of March 12, 2019.

The purpose of the Specific Plan is to revitalize Tweedy Boulevard by providing new mixed-uses, increasing housing opportunities and neighborhood-serving retail uses, and improving access to all modes of transportation.

The Ordinance will add and incorporate the Specific Plan into the City’s Municipal Code. The attached Resolutions approve General Plan Amendment No. 2019-01 and the Initial Study and Negative Declaration, dated April 19, 2017.

**Council Member Maria Davila and Council Member Denise Diaz live in close proximity to the project site and should consider recusing themselves from voting on this matter.**

**RECOMMENDED ACTIONS:**

- a. Waive the reading in full and adopt Ordinance No. 2359 adding new Section 11.28.030 (Tweedy Boulevard Specific Plan), to Chapter 11.28 (Specific Plans), of Title 11 (Zoning), of the South Gate Municipal Code;
- b. Adopt Resolution approving General Plan Amendment No. 2019-01 by adding place types “Light Industrial/Flex and Manufacturing Distribution” to the Tweedy Educational District and changing the residential General Plan designation of a portion of the General Plan area from Neighborhood-Low to Neighborhood Medium; and
- c. Adopt Resolution approving the Initial Study and Negative Declaration, dated April 19, 2017, pertaining to the Tweedy Boulevard Specific Plan.

**FISCAL IMPACT:** None.

**BACKGROUND:** Following the conclusion of a Public Hearing on February 12, 2019, the City Council introduced Ordinance No. 2359 after taking the following actions:

1. Accepted the Planning Commission’s recommendations to modify the Table of Land Uses as follows:
  - a. Library/Gallery/Museum - Show “A-P” (Subject to the review and approval of an Administrative Permit Review) for Library/Gallery/Museum, instead of requiring a CUP.
  - b. Alcohol Sales as Part of a Restaurant - Remove the requirement that restaurants serving alcohol be at least 100 feet away from a residential zone.
  - c. Antenna/Communications Equipment - Show “A-U” (Permitted as a secondary use in conjunction with a primary use.) in addition to the CUP requirements for Antenna/Communications Equipment.
  
2. Accepted changes to the Specific Plan regarding the parcels zoned Industrial Flex (IF) on Wood Avenue and Legacy Lane as follows:
  - a. **Figure 4-10: Maximum Building Envelope and Design Guidelines for Wood Avenue Site. C.** - At City’s discretion and as an alternative to (A), create a new connection to the Los Angeles River Bikeway through a new connection at Wood Avenue with private sector contributions.
  - b. **Section 4.5.C. Development and Design Standards** - All properties shall ensure adequate access to the Los Angeles River Bikeway. Where on-site improvements are not necessary, contributions to off-site River Bikeway access improvements shall be required. These contributions may qualify as Street Landscaping for Density Bonus Incentive purposes (CZC Table 11.23-3).
  
3. Accepted **Density/Development Reduction Alternative C – Nodal Pattern** – This option limits the TMU2 zone to four “nodes,” or activity centers, in Tweedy Mile. These nodes are:
  - a. California Avenue
  - b. Allen Theater/CVS/DD’s Discounts – The area between San Carlos and San Juan Avenues, which includes the Allen Theater and large parcels with CVS and DD’s Discounts.
  - c. Tweedy Marketplace Shopping Center – The area between San Vincente Avenue and Otis Street, which includes the Tweedy Marketplace Shopping Center on the north side of the street.
  - d. Eastern Gateway to Tweedy Mile – The block between Bryson and Alexander Avenue.

Adoption of the Ordinance was on the agenda for the regularly scheduled City Council meeting of February 26, 2019. However, since the minimum number Council Members required to vote on this item were not present, the adoption of the Ordinance was continued to the regularly scheduled City Council meeting of March 12, 2019.

Attached is the Agenda Bill from the February 12, 2019 City Council Meeting.

**ATTACHMENTS:** A. Ordinance No. 2359 with Tweedy Boulevard Specific Plan (Available for review in the City Clerk’s Office)

- B. Proposed Resolution amending the General Plan 2035
- C. Proposed Resolution approving Initial Study & Negative Declaration, Dated April 19, 2017 (available for review in the City Clerk's Office)
- D. City Council Agenda Bill dated February 12, 2019

**ORDINANCE NO. 2359**

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

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SOUTH GATE, CALIFORNIA, ADDING NEW SECTION  
11.28.030 (TWEEDY BOULEVARD SPECIFIC PLAN), TO  
CHAPTER 11.28 (SPECIFIC PLANS), OF TITLE 11  
(ZONING), OF THE SOUTH GATE MUNICIPAL CODE**

**WHEREAS**, on December 8, 2009, the City Council adopted Resolution No. 7345 certifying the environmental impact report for the General Plan update 2035 and adopting General Plan 2035 (except the Housing Element) that set the course for land use and development for the City; and

**WHEREAS**, General Plan 2035 designates Tweedy Boulevard as a Corridor within the City; and

**WHEREAS**, General Plan 2035 Community Design Element calls for the “Revitalization of the City’s corridors into beautiful and welcoming spaces”; and

**WHEREAS**, General Plan 2035 Community Design Element calls for the “Revitalization, redevelopment and intensification of the City’s Districts”; and

**WHEREAS**, the Tweedy Boulevard Specific Plan (“Specific Plan”) was prepared in response to all of the foregoing and to specifically address the goals, policies, and implementation measures set forth in General Plan 2035 relative to the above-referenced Tweedy Boulevard district area and corridors; and

**WHEREAS**, the Specific Plan includes development criteria specific to the Specific Plan area which implement and are consistent with the policies of General Plan 2035; and

**WHEREAS**, the Specific Plan includes zoning designations and maps that are specific to the planning area and will enable implementation of the Specific Plan consistent with the direction in the General Plan 2035; and

**WHEREAS**, it is necessary to amend Title 11 (Zoning) of the South Gate Municipal Code to acknowledge and provide reference to the requirements and provisions contained in and amended by the Specific Plan; and

**WHEREAS**, the proposed Specific Plan was duly published and on the agenda for discussion and public hearing before the Planning Commission on May 2, 2017; and

**WHEREAS**, at the conclusion of the public hearing held at the meeting of the Planning Commission on May 2, 2017, the Planning Commission adopted Resolution No. 2017-02 recommending that the City Council approve the amendment to the South Gate Zoning Code as set forth in this Ordinance; and

**WHEREAS**, on June 27, 2017, and on July 11, 2017, the City Council opened the public hearing, took public testimony and continued the item and instructed staff to conduct additional public outreach, obtain further public input and provide analysis on the size, height, density and parking and traffic impacts of potential future development that may occur under the Draft Tweedy Boulevard Specific Plan; and

**WHEREAS**, on January 22, 2019, the City Council opened the public hearing, took public testimony and continued the item to the regularly scheduled City Council meeting of February 12, 2019, to obtain additional public input; and

**WHEREAS**, on February 12, 2019, the City Council held a duly noticed public hearing to take public testimony and introduced this Ordinance; and

**WHEREAS**, during the regularly scheduled City Council meeting of February 26, 2019, the City Council continued the adoption of Resolution No. \_\_\_\_ approving General Plan Amendment No. 2019-01 and Resolution No. \_\_\_\_ approving the Initial Study and Negative Declaration, dated April 19, 2017, pertaining to the Tweedy Boulevard Specific Plan, to the regularly scheduled City Council meeting of March 12, 2019; and

**WHEREAS**, during the regularly scheduled City Council meeting of March 12, 2019, the City Council adopted Resolution No. \_\_\_\_ approving General Plan Amendment No. 2019-01 by adding place types “Light Industrial/Flex and Manufacturing Distribution” to the Tweedy Educational District and changing the residential General Plan designation of a portion of the General Plan area from Neighborhood-Low to Neighborhood Medium; and

**WHEREAS**, the adoption of the Specific Plan and proposed amendments to Title 11 (Zoning) of the South Gate Municipal Code are necessary to implement the General Plan’s vision; and

**WHEREAS**, during the regularly scheduled City Council meeting of March 12, 2019, the City Council adopted Resolution No. \_\_\_\_ approving the Initial Study and Negative Declaration, dated April 19, 2017, pertaining to the Tweedy Boulevard Specific Plan;

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

**SECTION 1.** The City Council hereby approves and adopts General Plan Amendment 2019-01, which amends the City’s General Plan in the following two respects:

The uses permitted in the Tweedy Educational District are hereby expanded to include “Light Industrial/Flex” and “Manufacturing/Distribution”, as those terms are defined in the Specific Plan and in the locations designated in the Specific Plan; and

The existing uses within the area generally bounded by Deeble Street and San Vicente Avenue, north of the parcels fronting Tweedy Boulevard and south of the Specific Plan boundary are primarily multifamily uses. The Specific Plan zoning continues to permit these uses with a Neighborhood Medium zoning designation. Per the City’s General Plan 2035, these parcels are designated Neighborhood-Low, which does not permit multifamily uses. In order to ensure consistency between the Specific Plan zoning and the



General Plan 2035 Community Design Element, the latter document is being updated concurrently to ensure consistency between the two documents by changing the land use designation for these parcels to Neighborhood-Medium.

**SECTION 2.** The adoption of the Specific Plan, attached hereto as Exhibit “A”, will be consistent with the goals and objectives of the adopted South Gate General Plan 2035. Specifically, the City Council finds that the proposed addition and amendment is consistent with Implementation Action 6 of the Community Design Element, which states “Specific Plans should be developed for the identified Districts and Corridors within the City.”

**SECTION 3.** Because of the evidence that the adoption and implementation of the Specific Plan would have no significant effects on the environment, the City Council has adopted an Initial Study & Negative Declaration, dated April 19, 2017, relative to the Specific Plan, prepared in accordance with the requirements of the California Environmental Quality Act.

**SECTION 4.** Section 11.28.030 (Tweedy Boulevard Specific Plan), is hereby added to Chapter 11.28 (Specific Plans), of Title 11 (Zoning), of the South Gate Municipal Code to read as follows:

**Section 11.28.030 Tweedy Boulevard Specific Plan.**

There is hereby adopted by reference that document known as the Tweedy Boulevard Specific Plan, which shall be that document contained in **Exhibit “A”** of Ordinance No. 2359 adopted by the City Council of the City of South Gate on March 12, 2019.

The full text of the Tweedy Boulevard Specific Plan is available in the City Clerk’s office and can also be accessible through the following link: [Tweedy Boulevard Specific Plan](#).

**SECTION 5.** If any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

[Remainder of page left blank intentionally]

**SECTION 6.** This Ordinance shall take effect on the thirty-first (31<sup>st</sup>) day after its adoption.

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

**PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of March, 2019.

**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**DRAFT**  
APPROVED AND ADOPTED:  
\_\_\_\_\_  
Rafael F. Salinas, City Attorney

**RESOLUTION NO. \_\_\_\_\_**

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

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF SOUTH GATE, CALIFORNIA,  
APPROVING GENERAL PLAN AMENDMENT NO. 2019-01  
BY ADDING PLACE TYPES “LIGHT INDUSTRIAL/FLEX”  
AND MANUFACTURING DISTRIBUTION” TO THE  
TWEEDY EDUCATIONAL DISTRICT AND CHANGING  
THE RESIDENTIAL GENERAL PLAN DESIGNATION OF  
A PORTION OF THE GENERAL PLAN AREA FROM  
NEIGHBORHOOD-LOW TO NEIGHBORHOOD-MEDIUM**

**WHEREAS**, on December 8, 2009, the City Council adopted Resolution No. 7345 certifying the environmental impact report for the South Gate General Plan update 2035 and adopting South Gate General Plan 2035 (except the Housing Element) that set the course for land use and development for the City; and

**WHEREAS**, South Gate General Plan 2035 designates Tweedy Boulevard as a Corridor within the City; and

**WHEREAS**, South Gate General Plan 2035 Community Design Element calls for the “Revitalization of the City’s corridors into beautiful and welcoming spaces”; and

**WHEREAS**, South Gate General Plan 2035 Community Design Element calls for the “Revitalization, redevelopment and intensification of the City’s Districts”; and

**WHEREAS**, the Tweedy Boulevard Specific Plan (“Specific Plan”) was prepared in response to all of the foregoing and to specifically address the goals, policies, and implementation measures set forth in South Gate General Plan 2035 relative to the above-referenced Tweedy Boulevard district area and corridors; and

**WHEREAS**, the proposed General Plan Amendment is necessary to ensure conformity between the General Plan and the Tweedy Boulevard Specific Plan; and

**WHEREAS**, the City Council has carefully considered all of the following: the Negative Declaration; the public comments received relative thereto; the maps, facts, exhibits, testimony, staff reports, and other evidence contained or referenced therein or submitted in connection therewith; and the substantial evidence in the record pertaining to all of the foregoing; and

**WHEREAS**, on June 27, 2017, and on July 11, 2017, the City Council opened the duly noticed public hearing, took public testimony and continued the item and instructed staff to conduct additional public outreach, obtain further public input and provide analysis on the size, height, density, parking and traffic impacts of potential future development that may occur under the proposed Tweedy Boulevard Specific Plan; and

**WHEREAS**, on January 22, 2019, the City Council opened the duly noticed public hearing, took public testimony and continued the item to the regularly scheduled meeting of February 12, 2019; and

**WHEREAS**, on February 12, 2019, the City Council opened the duly noticed public hearing to take public testimony and consider this General Plan Amendment; and

**WHEREAS**, on February 26, 2019, the City Council continued the item to the regularly scheduled City Council meeting of March 12, 2019; and

**WHEREAS**, the adoption of the General Plan Amendment is necessary to implement the Tweedy Boulevard Specific Plan;

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

**SECTION 1.** The above recitals are all true and correct and incorporated herein by this reference.

**SECTION 2.** For the reasons specified in more detail in the Negative Declaration, dated April 19, 2017, the City Council finds that there is no substantial evidence in the record before it that the adoption or implementation of General Plan Amendment No. 2019-01 will have a significant event on the environment.

**SECTION 3.** Although the Negative Declaration was prepared by a third-party consultant at the City’s request, the City Council hereby finds that the Negative Declaration reflects the City Council’s independent judgment and analysis, based on the City Council’s independent review of the Negative Declaration and the comments, maps, facts, exhibits, testimony, staff reports and other evidence referenced above.

**SECTION 4.** The Tweedy Educational District section of Table CD 7: Allowable Place Types by District under the Community Design Element, Chapter 3, of South Gate General Plan 2035 is hereby amended to read as follows:

The uses permitted in the Tweedy Educational District are hereby expanded to include “Light Industrial/Flex” and “Manufacturing/Distribution”, as those terms are defined in the Specific Plan and in the locations designated in the Specific Plan:

Table CD 7: Allowable Place Types by District		
	Place Types	
	Light Industrial/Flex	Manufacturing Distribution
Tweedy Educational District	●	●

**SECTION 5.** The map as Figure CD 3 labeled as Neighborhoods under the Community Design Element, Chapter 3, of South Gate General Plan 2035 is hereby amended as follows:

The existing uses within the area generally bounded by Deeble Street and San Vicente

Avenue, north of the parcels fronting Tweedy Boulevard and south of the Specific Plan boundary are primarily multifamily uses. The Specific Plan zoning continues to permit these uses with a Neighborhood Medium zoning designation. Per the City's General Plan 2035, these parcels are designated Neighborhood-Low, which does not permit multifamily uses. In order to ensure consistency between the Specific Plan zoning and the General Plan 2035 Community Design Element, the latter document is being updated concurrently to ensure consistency between the two documents by changing the land use designation for these parcels to Neighborhood-Medium.

**SECTION 6.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to file with the County of Los Angeles a Notice of Determination relative to the foregoing adoption of the Negative Declaration, in accordance with the provisions of CEQA.

**SECTION 7.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to take all other actions which they deem necessary or appropriate to implement and enforce the purposes of this Resolution.

**SECTION 8.** The City Clerk shall certify to the adoption of this Resolution, which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of March, 2019.

**CITY OF SOUTH GATE:**

---

María Belén Bernal, Mayor

**ATTEST:**

---

Carmen Avalos, City Clerk  
(SEAL)

~~APPROVED AND FORWARDED~~

---

Raul L. Lomas, City Attorney

RESOLUTION NO. \_\_\_\_\_

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

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF SOUTH GATE, CALIFORNIA,  
APPROVING THE INITIAL STUDY & NEGATIVE  
DECLARATION, DATED APRIL 19, 2017, PERTAINING  
TO THE TWEEDY BOULEVARD SPECIFIC PLAN**

**WHEREAS**, the City is considering the adoption of the Tweedy Boulevard Specific Plan, consistent with the goals, policies and implementation measures set forth in the City's General Plan; and

**WHEREAS**, the proposed adoption of the Tweedy Boulevard Specific Plan ("Specific Plan") is a "Project" under the California Environmental Quality Act ("CEQA") which requires the City to evaluate and consider the effects on the environment of the City's adoption and implementation of that Specific Plan; and

**WHEREAS**, in accordance with CEQA, the City commissioned the preparation of an Initial Study to determine whether or not an Environmental Impact Report needed to be prepared relative to the Tweedy Boulevard Specific Plan; and

**WHEREAS**, the Initial Study revealed that the City's adoption and implementation of the Specific Plan would have no significant effects on the environment; and

**WHEREAS**, for that reason the City caused to be prepared a combined Initial Study & Negative Declaration ("Negative Declaration") pursuant to the requirements of CEQA; and

**WHEREAS**, the Negative Declaration was available for public review for the period required by CEQA, through and including May 8, 2017, at the following locations: the City's Community Development Department, 8650 California Avenue; Weaver Library, 4035 Tweedy Blvd; and Hollydale Library, 12000 Garfield Avenue; and

**WHEREAS**, the City Council has carefully considered all of the following: the Negative Declaration; the public comments received relative thereto; the maps, facts, exhibits, testimony, staff reports, and other evidence contained or referenced therein or submitted in connection therewith; and the substantial evidence in the record pertaining to all of the foregoing;

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

**SECTION 1.** The above recitals are all true and correct and incorporated herein by this reference.

**SECTION 2.** For the reasons specified in more detail in the Negative Declaration, dated April 19, 2017, the City Council finds that there is no substantial evidence in the record before it that

the adoption or implementation of the Specific Plan will have a significant event on the environment.

**SECTION 3.** Although the Negative Declaration was prepared by a third-party consultant at the City's request, the City Council finds that the Negative Declaration reflects the City Council's independent judgment and analysis, based on the City Council's independent review of the Negative Declaration and the comments, maps, facts, exhibits, testimony, staff reports and other evidence referenced above.

**SECTION 4.** In light of all of the foregoing, the City Council hereby adopts the Negative Declaration.

**SECTION 5.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to file with the County of Los Angeles a Notice of Determination relative to the foregoing adoption of the Negative Declaration, in accordance with the provisions of CEQA.

**SECTION 6.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to take all other actions which they deem necessary or appropriate to implement and enforce the purposes of this Resolution.

**SECTION 7.** The City Clerk shall certify to the adoption of this Resolution, which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 12<sup>th</sup> day of March, 2019.

**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

**DRAFT**  
\_\_\_\_\_  
Raul F. Salinas, City Attorney

RECEIVED

FEB 6 2019

Item No. 4

# City of South Gate

CITY COUNCIL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

11:15am

# AGENDA BILL

For the Regular Meeting of: February 12, 2019

Originating Department: Community Development

Department Head: Joe Perez

City Manager: Michael Flad

**SUBJECT: ORDINANCE ADDING NEW SECTION 11.28.030 (TWEEDY BOULEVARD SPECIFIC PLAN) TO THE SOUTH GATE MUNICIPAL CODE; RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. 2019-01; AND RESOLUTION APPROVING THE INITIAL STUDY AND NEGATIVE DECLARATION PERTAINING TO THE TWEEDY BOULEVARD SPECIFIC PLAN**

**PURPOSE:** At its regularly scheduled City Council meetings of June 27, 2017, July 11, 2017, and January 22, 2019, the City Council conducted duly noticed public hearings regarding the proposed Tweedy Boulevard Specific Plan (Specific Plan). After receiving public testimony, the City Council continued the item to the regularly scheduled City Council meeting of February 12, 2019 in order to obtain additional public input.

The purpose of the Specific Plan is to revitalize Tweedy Boulevard by providing new mixed-uses, increasing housing opportunities and neighborhood-serving retail uses, and improving access to all modes of transportation.

This proposed Ordinance will add and incorporate the Specific Plan into the City's Municipal Code. The proposed Resolution approves the initial study and negative declaration for the Specific Plan in accordance with the requirements of the California Environmental Quality Act.

**Council Member Maria Davila and Council Member Denise Diaz live in close proximity to the project site and should consider recusing themselves from voting on this matter.**

**RECOMMENDED ACTIONS:** Following the conclusion of the public hearing:

- a. Consider the Planning Commission's proposed changes pertaining to Library/Gallery/Museum, Alcohol Sales as Part of a Restaurant, and Antenna/Communications Equipment and provide staff with direction as to which, if any, of the modifications should be made to the final Tweedy Boulevard Specific Plan document;
- b. Waive the reading in full and introduce Ordinance adding new Section 11.28.030 (Tweedy Boulevard Specific Plan), to Chapter 11.28 (Specific Plans), of Title 11 (Zoning), of the South Gate Municipal Code;
- c. Adopt Resolution approving General Plan Amendment No. 2019-01 by adding place types "Light Industrial/Flex and Manufacturing Distribution" to the Tweedy Educational District and changing the residential General Plan designation of a portion of the General Plan area from Neighborhood-Low to Neighborhood Medium; and
- d. Adopt Resolution approving the Initial Study and Negative Declaration, dated April 19, 2017, pertaining to the Tweedy Boulevard Specific Plan.



**FISCAL IMPACT:** None.

**ALIGNMENT WITH COUNCIL GOALS:** The adoption of the Specific Plan supports the following goals established by the City Council:

- The Specific Plan contributes to the “**development and protection of strong and sustainable neighborhoods.**” This is accomplished by preserving and enhancing existing single-family neighborhoods; creating a range of housing opportunities and choices; improving quality of life for residents with improvements to the pedestrian experience in the public realm; promoting sustainable practices and “green streets”; encouraging high-quality design and development; and promoting active transportation and reducing vehicle miles traveled.
- The Specific Plan encourages “**economic development**” by improving the vitality and employment opportunities in the Tweedy Boulevard area; facilitating development, especially residential and retail in a mixed-use setting.
- The Specific Plan supports the goal of “**continuing infrastructure improvements**” by recommending infrastructure upgrades and providing an implementation strategy for the Tweedy Boulevard area.

**NOTICING REQUIREMENT:** The Notice of Public Hearing was posted and published in *The Los Angeles Wave* newspaper on January 31, 2019. In addition, notices were mailed to property owners and addresses located within the Specific Plan area and property within 1,000 feet of the Specific Plan area.

**ANALYSIS:** In response to Council comments at the January 22, 2019 City Council meeting, three alternatives to the January 2019 plan have been developed, which would reduce potential development density. The Draft Plan and three alternatives are described below:

January 2019 Draft Specific Plan

After significant study, the January 2019 Draft Specific Plan modified the 2017 Draft Specific Plan, modifying development standards and reducing the overall building envelope available to property owners/developers in the Tweedy Mixed Use 1 (TMU1) and Tweedy Mixed Use 2 (TMU2) zones. This approach responds to community concerns by preserving neighborhood character and transitioning appropriately to Tweedy Boulevard and residential neighborhoods. Below is a summary of the development standards in the TMU zones.

Comparison of TMU Zones - Summary					
	TMU1 Zone (Standard)	TMU1 Zone (with Bonus)	TMU2 Zone (Standard)	TMU2 Zone, Shallow Sites (with Bonus)	TMU2 Zone, Deep Sites (with Bonus)
<b>Maximum Height<sup>1</sup></b>	3 stories	3 stories	3 stories	3 stories <sup>2</sup>	2-4 stories <sup>3</sup>
<b>Maximum Residential Density</b>	20 du/ac	30 du/ac	30 du/ac	45 du/ac	45 du/ac

1. All zones subject to buffering from single-family residential.
2. Allows 4th floor corner towers.
3. Must be a mix of heights, with maximum 4 stories. Two stories in rear when adjacent to single-family.

Two estimates of potential development under the Draft Specific Plan were prepared. “Mid-range” provides an estimate of development in a moderately successful and potentially foreseeable scenario in the medium term. The mid-range estimate for total residential development in the TMU1 and TMU2 zones is 600-900 units. This estimate is distinct from the maximum buildout of the plan, which is the theoretical maximum that could be built should every property redevelop to its maximum density. The maximum buildout of the TMU1 and TMU2 zones is approximately 3,300 units.

#### Alternatives to Address Density

Provided below are options to address density along the Tweedy Boulevard corridor. Zoning Maps are attached (Attachment A):

#### ***Alternative A – Development Cap***

One option to control overall density along the Tweedy Boulevard corridor is to institute a development cap of 1,000 new residential units in the TMU1 and TMU2 zones. This approach would not affect the economic viability of any properties in the short-term. However, in the event that development in accordance with the Plan exceeds mid-range expectations, it would protect the community from high levels of development and traffic generation.

#### ***Alternative B – Elizabeth to Bowman Focus***

This alternative would limit the TMU2 zone to the portion of the Specific Plan area between Elizabeth Avenue and Bowman Avenue. Under this alternative, approximately 23 acres would be reclassified from TMU2 to TMU1. This would reduce development feasibility on these parcels.

The area between Elizabeth Avenue and Bowman Avenue has already been identified as the “Active Retail Frontage” area, where consistent commercial activity is envisioned. Thus, higher density would only be allowed in the areas where commercial activity is concentrated. No residential-only projects would be permitted in the TMU2 zone along Tweedy Boulevard.

The TMU2 zone would be assigned to California Avenue north and south of Tweedy Boulevard without an Active Retail Frontage requirement. The TMU2 zone’s densities are consistent with

maximum densities for the portions of California Avenue located just outside the planning area (40 du/ac).

**Alternative C – Nodal Pattern**

Alternative C would limit the TMU2 zone to four “nodes,” or activity centers, in Tweedy Mile. These denser activity centers would punctuate the corridor with off-street public spaces and higher levels of activity. Under this alternative, approximately 42 acres would be reclassified from TMU2 to TMU1. This would reduce the development feasibility on these parcels.

These nodes are:

1. California Avenue – This street forms an important intersection with Tweedy Boulevard which already has mixed-use development.
2. Allen Theater/CVS/DD’s Discounts – The area between San Carlos and San Juan Avenues, which includes the Allen Theater and large parcels with CVS and DD’s Discounts, would be the second node. Maintaining the TMU2 zone in this area increases the likelihood of catalytic development projects on the CVS and DD’s sites and a density bonus project on the Allen Theater block which could preserve the theater.
3. Tweedy Marketplace Shopping Center – The area between San Vicente Avenue and Otis Street, which includes the Tweedy Marketplace Shopping Center on the north side of the street, would be the third node. This node includes a major intersection (Otis Street) and potential catalytic development site.
4. Eastern Gateway to Tweedy Mile – The block between Bryson and Hunt Avenue forms the eastern gateway to Tweedy Mile and, therefore, it is appropriate to include slightly larger buildings to create a gateway effect.

The effects of each of these alternatives on development potential are shown below:

Comparison of Effects of Alternatives				
Alternative	Land Area		Effect on Mid-Range Estimate	Effect on Maximum Buildout
	TMU1	TMU2		
<i>Draft Specific Plan (Jan. 2019)</i>	12 ac	65 ac	Mid-Range Estimate: 600-900 units	Maximum Buildout: 3,300 units
<i>Alternative A - Development Cap</i>	12 ac	65 ac	None	Large decrease (max. 1,000 new units)
<i>Alternative B - Elizabeth to Bowman Focus</i>	35 ac	42 ac	Moderate decrease	Moderate decrease
<i>Alternative C - Nodal Pattern</i>	54 ac	23 ac	Significant decrease	Significant decrease

Tweedy/Atlantic

The southwest corner of Tweedy Boulevard and Atlantic Avenue has been subject to City Precise

Plan #18 and Site Plan #283 for some time, with a mixed-use development receiving final entitlements in June 2018. As a result of this decision, it was noted that the zoning on this parcel should remain the same. Therefore, this parcel has been designated “Precise Plan #18/Site Plan #283” on the zoning map for the Draft Specific Plan and all alternatives.

Given that the southwest corner of Tweedy Boulevard and Atlantic Avenue would no longer be in the TMU2 zone, it was deemed appropriate to also downzone the northwest corner of Tweedy Boulevard and Atlantic Avenue to TMU1 zone in the Draft Specific Plan and all alternatives.

#### Additional Analysis of Building Heights, Density, Parking and Traffic

To address concerns received from community members at the City Council hearing on July 11, 2017 and subsequent community meeting about the size, height, density and parking and traffic impacts of potential future development that may occur under the Draft Tweedy Boulevard Specific Plan, the City’s consultant team analyzed the three following scenarios for the Tweedy Mixed Use 2 (TMU2) Zone to address these concerns.

- Scenario 1: Maintain existing standards in the 2017 Draft Specific Plan, which would allow building heights up to 3 stories (4 stories maximum with density bonus) and density of 30 units/acre (45 units/acre maximum with bonus)
- Scenario 2: Reduce building heights to 3 stories maximum and density to 20 units/acre
- Scenario 3: Modify the building form requirements in the 2017 Draft Specific Plan

The consultant team analyzed these scenarios in terms of their impacts upon the livability and character of the street and neighborhood, economic feasibility for development, potential for revitalizing Tweedy Mile, fiscal impacts to the City, traffic and parking.

*Neighborhood Character:* While in general the lower-density alternative was lower-scale than the higher-density alternative, site-planning exercises determined that the lower-density projects were likely to be constructed as horizontal mixed-use. Previous horizontal mixed-use projects in the City and around the region tend to follow a pattern of retail along the street, surface parking and taller residential buildings in the rear of sites, adjacent to existing single-family residential.

While higher-density buildings are in general larger overall than lower-density buildings, flexibility in design is greater due to the transition to structured or underground parking that occurs at higher intensities. In reviewing mixed-use projects in communities with similar built forms, several examples were identified where the relationship of buildings to the main street and to residential neighborhoods was superior, with taller pedestrian-friendly mixed use in the front and a more suburban residential feel in the back. Many of these projects also have public space incorporated into them as a result of city requirements.

There are also higher-density buildings with poor design that makes them feel more imposing and violate the nearby residential context. Strong design standards are very helpful in obtaining a good result.

*Economic Feasibility:* The consultant team conducted developer pro forma analysis to determine the likelihood that a theoretical property owner could profitably redevelop their site. Development projects along Tweedy Boulevard currently appear to be marginally profitable at best. Similar results were obtained for the 20 du/ac and 45 du/ac alternative, with the 20 du/ac alternative faring slightly better due to having much lower construction costs for parking (surface parking).

These results indicate that:

- a) Development is unlikely to proceed very quickly. It is more likely to happen in a piecemeal form over several economic cycles. In the near to mid-term, cooling property market conditions are likely, and development may need a greater incentive to move forward.
- b) Even with Specific Plan maximums at the higher density, there is still a substantial possibility that lower-density projects will be built.

In reviewing mixed-use projects around the region, very few projects have been built at 20 units/acre, with developers tending to be smaller and less experienced. More experienced developers with more sophisticated and sensitive design teams tend to pursue mixed-use projects in a higher-density setting.

*Business Revitalization Potential:* The community-expressed that the vision of the Tweedy Boulevard Specific Plan is to restore it as the “Main Street” of South Gate. Key to this vision is commercial revitalization. Higher density development provides more customers who are able to patronize local businesses. This is a large reason why mixed-use development is being pursued on older commercial corridors throughout Southern California.

*Fiscal Impact:* The fiscal analysis demonstrated that somewhat higher revenues are to be expected from the higher-density alternative.

*Traffic:* Higher-density development will create more automobile trips than lower-density development. However, it will also encourage a greater share of trips to be completed on foot. Given the economic outlook, short-term impacts may be negligible.

*Parking:* At either density, developments are required to provide all residential parking on-site. Therefore, the residential density should have no impact on parking availability.

*Other Public Benefits:* Reducing densities, with or without bonus, to 20 units/acre would eliminate developers’ incentives to provide the public benefits, which give them density bonuses per the City’s Comprehensive Zoning Code. Such benefits include creation of child day care facilities, provision or dedication of public plaza or park, contribution to off-site landscaping, additional public art, green buildings, among others, and programs to reduce rush hour vehicle use, among others.

#### Recommended Changes to Draft Specific Plan – Modification of Building Forms

As a result of these analyses, and in response to community input, it is recommended that the Draft Specific Plan incorporate Scenario 3 – restricting the building forms to ensure a lower-scale feel at the transition to residential neighborhoods and along Tweedy Boulevard. These proposed changes are designed to provide greater protection, privacy and sunlight to adjacent residential properties, while allowing for an improved transition between zones. The following changes in the building form requirements are included in the attached Draft Specific Plan:

- **Tweedy Mixed Use 1 (TMU-1) Zone - Section 4.4 (C)(1)**
  - The distance requirement for the second (as well as third) floors of new buildings will be increased an additional 10 feet from the required 15 foot setback area next to existing single family residential. This will result in new second and third story buildings being a total of 25 feet from adjacent single family residential properties.

- The same additional 10 foot buffer will be applied to second (as well as third) story buildings from the required 5 foot setback area next to an alley across from existing single family residential.
- **Tweedy Mixed Use 2 (TMU-2) Zone - Section 4.4 (C)(2)**
  - For shallower sites (i.e. less than 200 feet deep) - Figures 4-3 and 4-4:
    - The maximum building height with bonus will be reduced to three stories with the exception of corner towers.
    - The second and third floors will be stepped back by an additional 10 feet from the building setback line when adjacent or across an alley from existing single family residential (same as TMU1 zone).
  - For deeper sites (i.e. 200 feet or greater) - Figures 4-5 and 4-6:
    - Heights will be limited to two stories in the rear 60 feet of the property after required setback when adjacent to single-family residential.
    - Four-story construction is available only when using a density bonus, requiring amenities listed in the City's Zoning Code.
    - The fourth floor must be stepped back from Tweedy Boulevard by 10 feet, except at corner tower locations, and at least one-third of the Tweedy Boulevard frontage must be three stories or fewer.
    - Density bonus projects must provide publicly accessible open space either in a street side plaza or interior courtyard linked to Tweedy Boulevard.
- **New Renderings** - Included in the revised Draft Specific Plan are renderings and photographic examples to illustrate design guidelines in Figures 4-4 and 4-6. These design guidelines illustrate how the new building envelope standards and existing design guidelines can be applied on sites of different sizes. These renderings serve as a visual guide to developers for what is expected of new development.
- **Building Modulation or Articulation (Commercial and Mixed Uses) - Section 4.11 (A)(2)**
  - Clarified that uninhabitable vertical architectural elements such as towers or spires may exceed the height limit or building envelope when appropriate for context. With a more constricted and defined building envelope being proposed, uninhabitable architectural elements become more important in creating unique identities for each project. These elements often need to rise above the height of the rest of the building, which may be built to the height limit.

This option of modifying building forms addresses concerns that new buildings will change the character of South Gate, feel out of place and cause issues of privacy and sunlight for residents of adjacent properties. At the same time, this option preserves the 2017 Draft Specific Plan's maximum densities, in order to stimulate the revitalization of businesses on Tweedy Mile, provide greater flexibility in design, provide public space in new developments, attract interest from more experienced developers and retain incentives for public benefits.

Recommended Zoning Change for Light Industrial Properties

Due to recent interest in developing vacant industrial sites surrounding the Legacy High School and the new International Studies Learning Center, three properties having Light Industrial (LI) zoning within the Tweedy Boulevard Specific Plan were evaluated to determine whether a more flexible zoning designation should be assigned to these parcels. Since the Specific Plan development process began, some of the existing industrial uses the zoning category were meant to protect have been abandoned and buildings demolished. The identified sites include a 38,669 SF vacant site at 5268 Wood Avenue; a 86,988 SF vacant site at 10130 Adella Avenue (former Riverton Steel property); and a 47,585 SF site at 10111 Burtis Street.

It is recommended that these properties be zoned Industrial Flex (IF). Section 11.22.060 of the City's Zoning Code states that "The purpose of the Industrial Flex (IF) Zone is to continue the industrial job-base in the area, while allowing flexibility to incorporate a mix of uses and job options, supporting innovative industry and living options in close proximity to transit, existing employment centers, and major corridors." This zoning district is appropriate for two reasons:

- Some industrial activities do remain on these parcels, and this zone allows for those activities to remain and grow if possible.
- Additional flexibility is appropriate in this area. With the construction of the Legacy Visual & Performing Arts and International Studies Learning Center high schools, these sites are mostly surrounded by educational and residential uses and are proximate to the tracks of the future West Santa Ana Branch (WSAB) Metro rail line. Examples of appropriate alternative uses on these sites, which would be allowed under Industrial Flex, may include education-related manufacturing, apprenticeship or arts space; research and development office; creative office; and multi-family residential.

The Zoning Code's development standards would be adjusted downward in order to account for the adjacent single-family residential to both of these sites. Maximum building heights will be 4 stories (5 stories maximum with density bonus) and density will be 40 units/acre (60 units/acre maximum with density bonus).

Building heights will be modulated in the following manner in order to protect privacy, sunlight and residential character of single-family residential neighborhoods:

- Legacy Lane Sites
  - Heights will be limited to three stories in the rear 80 feet of the property. In addition, the third story should be stepped back 10 feet from the rear property line.
- Wood Avenue Site
  - The Zoning Code requires a setback of 10 feet adjacent to single-family residential.
  - Heights will be limited to two stories in the 30 feet adjacent to the single-family residential setback.
  - Since the Wood Avenue Site is also adjacent to the WSAB rail line, there will be a 10 foot setback adjacent to the rail line, which should be planted with trees. This will allow for a buffer from the noise and particulate matter emitted by the future rail line.

The Draft Specific Plan includes a recommendation to improve access to the Los Angeles River Bikeway by improving the existing ramp connection at the east end of Tweedy Boulevard. Options for doing this include enhanced signage, maintenance and the creation of a small pocket park with

drinking fountains, seating, etc.

Potential development on the parcels zoned Industrial Flex (IF) on Wood Avenue and Legacy Lane should contribute to improving access to the Los Angeles River Bikeway, as this is part of the regional access to their developments. The Wood Avenue site may be connected to the river through a connection to the south to Tweedy Boulevard, just west of the river embankment, or there may be a new connection established to the river at Wood Avenue (which would need to navigate crossing the future West Santa Ana Branch rail line). The Legacy Lane sites would be connected to the river through an improved ramp connection at Tweedy Boulevard.

Therefore, the following additions are proposed to the Plan:

**Figure 4-10: Maximum Building Envelope and Design Guidelines for Wood Avenue Site. C.** At City's discretion and as an alternative to (A), create a new connection to the Los Angeles River Bikeway through a new connection at Wood Avenue with private sector contributions.

#### **Section 4.4.C. Development and Design Standards**

All properties shall ensure adequate access to the Los Angeles River Bikeway. Where on-site improvements are not necessary, contributions to off-site River Bikeway access improvements shall be required. These contributions may qualify as Street Landscaping for Density Bonus Incentive purposes (CZC Table 11.23-3).

**BACKGROUND:** In 2012, the City applied for a State of California Sustainable Communities Planning Grant by the State of California's Department of Conservation, Division of Land Resource Protection, Strategic Growth Council. The application was submitted to fund and prepare two Specific Plans for the Tweedy Boulevard and the Hollydale Village area to implement the vision created by the recently updated Zoning Ordinance and General Plan. In 2013, the City was awarded a \$570,000 grant by the State and The Arroyo Group was selected to prepare the Tweedy Boulevard and the Hollydale Village Specific Plans.

The implementation of the Specific Plan furthers General Plan policies that promote the establishment of complete, pedestrian-oriented, mixed-use neighborhoods; access to open space; improved and efficient multi-modal connectivity; increased economic development opportunities; and increased housing opportunities. The Specific Plan reflects the General Plan 2035 vision of the plan area.

#### Specific Plan Area

Just over three miles in length, Tweedy Boulevard is one of the main commercial corridors in the City. The Specific Plan area is approximately 622 acres in size, and is generally bounded by Indiana Avenue to the north and Michigan Avenue to the south, Alameda Corridor/the City of Los Angeles to the west, and the Los Angeles River to the east. The major cross streets include Long Beach Boulevard, State Street, California Avenue, Otis Street and Atlantic Avenue. South Gate Park, the largest and most-used public park in the City, is located in the eastern section of the Specific Plan area.

#### Specific Plan - Overview

The Specific Plan is a City-initiated Specific Plan to promote long-term change and economic development along Tweedy Boulevard area. Through the use of two mixed-use zones along



Tweedy Boulevard, the Specific Plan envisions attracting additional daytime uses and more housing to increase customer base and provide for shopping, dining, offices and cultural opportunities. These mixed-use zones allow for new housing ranging in densities from 20-45 dwelling units per acre and pedestrian retail frontage with ground floor display windows. New in-fill developments would be required to conform to new design standards up to three to four stories, or 40' to 50' in height, depending upon the location and parcel configuration, with the goal of transforming the area into an urban and active street environment.

The existing, stable, low-density residential neighborhoods in the area located off of Tweedy Boulevard will be preserved as Neighborhood Low Zones. The more dense housing and employment uses along Tweedy Boulevard, Atlantic Avenue and Long Beach Boulevard will foster greater pedestrian activity and will take advantage of existing transit options along these corridors. In addition, the Specific Plan is intended to foster a healthy community by improving the public realm and pedestrian and bicycle linkages to and from Tweedy Boulevard, Atlantic Avenue, South Gate Regional Park, the Los Angeles River, future mixed-use corridors and existing residential neighborhoods.

It should also be noted that the South Gate Municipal Code is maintained and accessed by way of Code Publishing Company, a third party contractor specializing in supporting municipalities with hosting and code updating services. Code Publishing will host the Specific Plan solely by hyper-link browsing and search functions. This practice is a common one that will save the City approximately \$1,800.00 per year; be eco-friendly by reducing paper copies; allow for ease of use for the end user by providing greater accessibility from multiple platforms from conventional desktop computers, tablets and smart phones. Equally as important, this service will provide accessibility, transparency and searchability while preserving intensive graphics including text and table formatting that make up a great deal of the Specific Plan document.

#### Public Participation – Community Workshops

The Specific Plan was prepared with input obtained through a series of community workshops, where residents, business and property owners, and interested parties provided input to the project team on the topics and direction of the Specific Plan to ensure that the Specific Plan expresses the vision, goals and ideas of the community as a whole. The City Council also established an 18 member Steering Committee to provide continuous feedback during the project. The Steering Committee also included members of the Tweedy Mile Association, which represents the interests of the Tweedy Mile business community.

A total of three public workshops and three Steering Committee meetings were held at milestone stages of the project to present findings and solicit input. These workshops and meetings were very productive in discussing key issues, concerns and preferences, and in generating trust for the planning process and community support for the Specific Plan. The first workshop on September 6, 2014, presented the background and purpose, existing conditions, and key opportunities for Tweedy Boulevard, and solicited input from the community on their issues, goals and visions. The second workshop on November 22, 2014, presented the preliminary land use, circulation and urban design plan, and gathered input on the overall land use, design and mobility concepts. The third workshop on December 14, 2016, presented and obtained feedback on the Public Review Draft Specific Plan. Spanish language translation was provided at all community events. Presentations to the City Council and Planning Commission were also made during the development of the Specific Plan.

### Public Participation – August 17, 2017 Community Meeting

In addition to three Community Workshops as described above, staff also conducted an independent informational Community Meeting on August 17, 2017, residents, business owners and property owners within 600 feet of the Specific Plan boundaries were invited to the South Gate Municipal Auditorium for presentations by the Community Development Department and the Public Works Department. Presentations highlighted new and upcoming commercial and residential development, policy documents in progress including the Tweedy Boulevard Specific Plan and the Gateway Specific Plan and public right-of-way vehicular and pedestrian oriented improvements and enhancements.

### Planning Commission Review

The Planning Commission received an informational presentation on the draft Specific Plan at its December 20, 2017, meeting. On May 2, 2017, the Planning Commission conducted a public hearing on the Specific Plan and adopted Resolution No. 2017-02 (attached), recommending that the City Council add the Specific Plan to the South Gate Municipal Code. In addition, the Planning Commission recommended that the following changes be made to the Specific Plan:

1. Library/Gallery/Museum (Page 35, Table 4-2) – The Commission unanimously recommended that the table of land uses be modified to show “A-P” (Subject to the review and approval of an Administrative Permit Review) for Library/Gallery/Museum, instead of requiring a CUP. The reason for eliminating this requirement is to relax costly barriers of entry and encourage pedestrian oriented development that supports other ancillary pedestrian uses.
2. Alcohol Sales as Part of a Restaurant (Page 37, Table 4-2) – The Commission unanimously recommended deletion of the language requiring that restaurants serving alcohol be at least 100 feet away from a residential zone. The reason for eliminating this requirement is that it is more restrictive than the separation requirements for restaurants contained in the City’s Zoning Code and would make it prohibitive for this use to occur along mixed-use zones due to their close proximity to residential zones.
3. Antenna/Communications Equipment (Page 36, Table 4-2) – The Commission unanimously recommended that the table of land uses be modified to show “A-U” (Permitted as a secondary use in conjunction with a primary use.) in addition to the CUP requirements for Antenna/Communications Equipment. The reason is to ensure that such proposals are limited as an accessory or secondary use and not a primary use for properties within the Specific Plan area.

It is recommended that City Council consider the Planning Commission’s proposed changes and provide direction as to which, if any, of the modifications should be made to the final Specific Plan document.

### Zoning Code Amendment

The proposed Ordinance incorporates the Specific Plan into the City’s Zoning Code (Title 11). The Zoning Map already identifies the Specific Plan area and the new Specific Plan will effectively become the new set of zoning regulations that provide specific direction as to the type and intensity of uses permitted. The Specific Plan also defines new types of design criteria including building form, height, and parking standards for the plan area.

### Amendment to the General Plan 2035

The General Plan 2035 called for the creation of a Specific Plan for the Tweedy area as specified in Action CD 6 of the Community Design Element. The implementation of the Specific Plan furthers General Plan policies that promote the establishment of complete, pedestrian-oriented, mixed-use neighborhoods; access to open space; improved and efficient multi-modal connectivity, increased economic development opportunities and increased housing opportunities. The Specific Plan reflects the General Plan 2035 vision of the plan area.

Notwithstanding that, there are two provisions of the Specific Plan that are currently inconsistent with two provisions of the General Plan 2035. The first concerns zoning in the portion of the Specific Plan area east of Atlantic Avenue. That area is within the “Tweedy Educational District” identified in the General Plan 2035. Pursuant to the General Plan 2035, the only permissible land uses in that area are “Neighborhood Medium-High”, “Boulevard Medium-High”, “Civic/Institutional” and “Open Space”. When the General Plan 2035 was enacted in 2009, it was believed that the entire area would be redeveloped for educational and related uses. While much of the area within the Tweedy Educational District has been redeveloped as the Legacy High School Complex, other portions of that area continue to be used for light industrial and light manufacturing uses, as they have been for decades.

During the community workshops and public hearings mentioned above, it became apparent that the community was concerned that the existing light industrial and light manufacturing businesses in this area – which provide high-paying jobs for many City residents – might be forced to relocate if some accommodation were not made. Accordingly, the Specific Plan contemplates that a portion of that same area will be zoned to permit these “Industrial Flex (IF)” and “Light Manufacturing (M2)” uses. However, because those uses are specifically prohibited in those locations under the General Plan 2035, the Planning Commission recommended amending the General Plan 2035 to also allow those uses in the Tweedy Educational District. The proposed zoning enables established manufacturing businesses to continue operating in a legal and conforming manner. The proposed zoning also allows the same businesses to expand should the opportunity present itself in the future.

To ensure consistency between the Specific Plan and the General Plan 2035, it is recommended that the City Council adopt the proposed Resolution amending the General Plan 2035 and approving General Plan Amendment 2019-01 to expand the uses permitted in the Tweedy Educational District to introduce two additional place types, “Light Industrial/Flex” and “Manufacturing/Distribution.”

The second area of inconsistency with the General Plan 2035 concerns existing uses within the area generally bounded by Deeble Street and San Vicente Avenue, north of the parcels fronting Tweedy Boulevard and south of the Specific Plan boundary, these of consist of primarily multi-family uses. The Specific Plan zoning continues to permit these uses with the Neighborhood Medium zoning designation to preserve the prevailing legal and conforming status for these properties. However, according to General Plan 2035, these parcels are designated Neighborhood-Low, which does not permit multi-family uses.

To ensure consistency between the Specific Plan zoning and the General Plan 2035 Community Design Element, the Planning Commission recommends concurrently updating the General Plan to ensure consistency between the General and Specific Plans by changing the General Plan's land use designation for these parcels to Neighborhood-Medium, which is also included in the proposed Resolution.

### Environmental Review

In accordance with the requirements of California Environmental Quality Act ("CEQA") Sections 21000 through 21177 of the California Public Resources Code, and Sections 15000 through 15387 of the California Code of Regulations Title 14 ("CEQA Guidelines"), a Notice of Intent to Adopt ("NOIA") a Negative Declaration was filed for the Project with the County of Los Angeles County Clerk's office on April 19, 2017. The Specific Plan furthers the General Plan's land use and development policies for the Planning Area governed by the Specific Plan. As part of the General Plan's preparation, a comprehensive Environmental Impact Report (EIR) was prepared. The City determined that the environmental review related to the Specific Plan's adoption and subsequent implementation could "tier" upon the General Plan's EIR. For this reason, the City further determined that a Negative Declaration is the most appropriate CEQA document for the Specific Plan. Because of the evidence that the adoption and implementation of the Tweedy Boulevard Specific Plan would have no significant effects on the environment, adoption of the Initial Study/Negative Declaration (IS/ND) is recommended. The initial study and proposed negative declaration was available for public review at the Community Development Department, 8650 California Avenue; Weaver Library, 4035 Tweedy Blvd; and Hollydale Library, 12000 Garfield Ave. The City received comments on the negative declaration through May 8, 2017. The Negative Declaration assembles in one document all of the environmental information and analysis prepared for the Specific Plan. The required CEQA findings are included in the Negative Declaration and in the attached Resolution.

### **ATTACHMENTS:**

- A. Maps – Density Alternatives
- B. Proposed Ordinance with Tweedy Boulevard Specific Plan (available for review in the City Clerk's Office)
- C. Proposed Resolution amending the General Plan 2035
- D. Proposed Resolution approving Initial Study & Negative Declaration, Dated April 19, 2017 (available for review in the City Clerk's Office)
- E. Planning Commission Resolution 2017-02
- F. Public Hearing Notice

- A. Maps – Density Alternatives  
Will be available  
February 7, 2019

ORDINANCE NO. \_\_\_\_\_

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

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SOUTH GATE, CALIFORNIA, ADDING NEW SECTION  
11.28.030 (TWEEDY BOULEVARD SPECIFIC PLAN), TO  
CHAPTER 11.28 (SPECIFIC PLANS), OF TITLE 11  
(ZONING), OF THE SOUTH GATE MUNICIPAL CODE**

**WHEREAS**, on December 8, 2009, the City Council adopted Resolution No. 7345 certifying the environmental impact report for the General Plan update 2035 and adopting General Plan 2035 (except the Housing Element) that set the course for land use and development for the City; and

**WHEREAS**, General Plan 2035 designates Tweedy Boulevard as a Corridor within the City; and

**WHEREAS**, General Plan 2035 Community Design Element calls for the “Revitalization of the City’s corridors into beautiful and welcoming spaces”; and

**WHEREAS**, General Plan 2035 Community Design Element calls for the “Revitalization, redevelopment and intensification of the City’s Districts”; and

**WHEREAS**, the Tweedy Boulevard Specific Plan (“Specific Plan”) was prepared in response to all of the foregoing and to specifically address the goals, policies, and implementation measures set forth in General Plan 2035 relative to the above-referenced Tweedy Boulevard district area and corridors; and

**WHEREAS**, the Specific Plan includes development criteria specific to the Specific Plan area which implement and are consistent with the policies of General Plan 2035; and

**WHEREAS**, the Specific Plan includes zoning designations and maps that are specific to the planning area and will enable implementation of the Specific Plan consistent with the direction in the General Plan 2035; and

**WHEREAS**, is necessary to amend Title 11 (Zoning) of the Municipal Code to acknowledge and provide reference to the requirements and provisions contained in and amended by the Specific Plan; and

**WHEREAS**, the proposed Specific Plan was duly published and on the agenda for discussion and public hearing before the Planning Commission on May 2, 2017; and

**WHEREAS**, at the conclusion of the public hearing held at the meeting of the Planning Commission on May 2, 2017, the Planning Commission adopted Resolution No. 2017-02 recommending that the City Council approve the amendment to the South Gate Zoning Code as set forth in this Ordinance; and

**WHEREAS**, on June 27, 2017 and on July 11, 2017 the City Council opened the public hearing, took public testimony and continued the item and instructed staff to conduct additional public outreach, obtain further public input and provide analysis on the size, height, density and parking and traffic impacts of potential future development that may occur under the Draft Tweedy Boulevard Specific Plan.; and

**WHEREAS**, on January 22, 2019, the City Council held a duly noticed public hearing to take public testimony and consider introducing this Ordinance; and

**WHEREAS**, during the regularly scheduled City Council meeting of January 22, 2019, the City Council adopted Resolution No. \_\_\_\_ approving General Plan Amendment No. 2019-01 making the Specific Plan consistent with the provisions of the General Plan 2035; and

**WHEREAS**, the adoption of the Specific Plan and proposed amendments to Title 11 (Zoning) of the Municipal Code are necessary to implement the General Plan's vision;

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

**SECTION 1.** The City Council hereby approves and adopts General Plan Amendment 2019-01, which amends the City's General Plan in the following two respects:

The uses permitted in the Tweedy Educational District are hereby expanded to include "Light Industrial/Flex" and "Manufacturing/Distribution", as those terms are defined in the Specific Plan and in the locations designated in the Specific Plan; and

The existing uses within the area generally bounded by Deeble Street and San Vicente Avenue, north of the parcels fronting Tweedy Boulevard and south of the Specific Plan boundary are primarily multifamily uses. The Specific Plan zoning continues to permit these uses with a Neighborhood Medium zoning designation. Per the City's General Plan 2035, these parcels are designated Neighborhood-Low, which does not permit multifamily uses. In order to ensure consistency between the Specific Plan zoning and the General Plan 2035 Community Design Element, the latter document is being updated concurrently to ensure consistency between the two documents by changing the land use designation for these parcels to Neighborhood-Medium.

**SECTION 2.** The adoption of the Specific Plan, attached hereto as Exhibit "A", will be consistent with the goals and objectives of the adopted South Gate General Plan 2035. Specifically, the City Council finds that the proposed addition and amendment is consistent with Implementation Action 6 of the Community Design Element, which states "Specific Plans should be developed for the identified Districts and Corridors within the City."

**SECTION 3.** Because of the evidence that the adoption and implementation of the Specific Plan would have no significant effects on the environment, the City Council has adopted an Initial Study & Negative Declaration, dated April 19, 2017, relative to the Specific Plan, prepared in accordance with the requirements of the California Environmental Quality Act.

**SECTION 4.** Section 11.28.030 (Tweedy Boulevard Specific Plan), is hereby added to Chapter 11.28 (Specific Plans), of Title 11 (Zoning), of the South Gate Municipal Code to read as follows:

**Section 11.28.030 Tweedy Boulevard Specific Plan.**

There is hereby adopted by reference that document known as the Tweedy Boulevard Specific Plan, which shall be that document contained in **Exhibit "A"** of Ordinance No. \_\_\_\_ adopted by the City Council of the City of South Gate on \_\_\_\_, 2019.

The full text of the Tweedy Boulevard Specific Plan is available in the City Clerk's office and can also be accessible through the following link: [Tweedy Boulevard Specific Plan](#).

**SECTION 5.** If any section, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

**SECTION 6.** This Ordinance shall take effect on the thirty-first (31<sup>st</sup>) day after its adoption.

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of February, 2019.

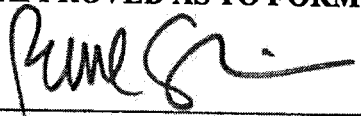
**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Raul F. Salinas, City Attorney

**RESOLUTION NO. \_\_\_\_\_**

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

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF SOUTH GATE, CALIFORNIA,  
APPROVING GENERAL PLAN AMENDMENT NO. 2017-01  
BY ADDING PLACE TYPES "LIGHT INDUSTRIAL/FLEX"  
AND MANUFACTURING DISTRIBUTION" TO THE  
TWEEDY EDUCATIONAL DISTRICT AND CHANGING  
THE RESIDENTIAL GENERAL PLAN DESIGNATION OF  
A PORTION OF THE GENERAL PLAN AREA FROM  
NEIGHBORHOOD-LOW TO NEIGHBORHOOD-MEDIUM**

**WHEREAS**, on December 8, 2009, the City Council adopted Resolution No. 7345 certifying the environmental impact report for the South Gate General Plan update 2035 and adopting South Gate General Plan 2035 (except the Housing Element) that set the course for land use and development for the City; and

**WHEREAS**, South Gate General Plan 2035 designates Tweedy Boulevard as a Corridor within the City; and

**WHEREAS**, South Gate General Plan 2035 Community Design Element calls for the "Revitalization of the City's corridors into beautiful and welcoming spaces"; and

**WHEREAS**, South Gate General Plan 2035 Community Design Element calls for the "Revitalization, redevelopment and intensification of the City's Districts"; and

**WHEREAS**, the Tweedy Boulevard Specific Plan ("Specific Plan") was prepared in response to all of the foregoing and to specifically address the goals, policies, and implementation measures set forth in South Gate General Plan 2035 relative to the above-referenced Tweedy Boulevard district area and corridors; and

**WHEREAS**, the proposed General Plan Amendment is necessary to ensure conformity between the General Plan and the Tweedy Boulevard Specific Plan; and

**WHEREAS**, the City Council has carefully considered all of the following: the Negative Declaration; the public comments received relative thereto; the maps, facts, exhibits, testimony, staff reports, and other evidence contained or referenced therein or submitted in connection therewith; and the substantial evidence in the record pertaining to all of the foregoing; and

**WHEREAS**, on June 27, 2017, and on July 11, 2017, the City Council opened the duly noticed public hearing, took public testimony and continued the item and instructed staff to conduct additional public outreach, obtain further public input and provide analysis on the size, height, density, parking and traffic impacts of potential future development that may occur under the proposed Tweedy Boulevard Specific Plan; and



**WHEREAS**, the adoption of the General Plan Amendment is necessary to implement the Tweedy Boulevard Specific Plan;

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

**SECTION 1.** The above recitals are all true and correct and incorporated herein by this reference.

**SECTION 2.** For the reasons specified in more detail in the Negative Declaration, dated April 19, 2017, the City Council finds that there is no substantial evidence in the record before it that the adoption or implementation of General Plan Amendment No. 2019-01 will have a significant event on the environment.

**SECTION 3.** Although the Negative Declaration was prepared by a third-party consultant at the City’s request, the City Council hereby finds that the Negative Declaration reflects the City Council’s independent judgment and analysis, based on the City Council’s independent review of the Negative Declaration and the comments, maps, facts, exhibits, testimony, staff reports and other evidence referenced above.

**SECTION 4.** The Tweedy Educational District section of Table CD 7: Allowable Place Types by District under the Community Design Element, Chapter 3, of South Gate General Plan 2035 is hereby amended to read as follows:

The uses permitted in the Tweedy Educational District are hereby expanded to include “Light Industrial/Flex” and “Manufacturing/Distribution”, as those terms are defined in the Specific Plan and in the locations designated in the Specific Plan:

Table CD 7: Allowable Place Types by District		
	Place Types	
	Light Industrial/Flex	Manufacturing Distribution
Tweedy Educational District	•	•

**SECTION 5.** The map as Figure CD 3 labeled as Neighborhoods under the Community Design Element, Chapter 3, of South Gate General Plan 2035 is hereby amended as follows:

The existing uses within the area generally bounded by Deeble Street and San Vicente Avenue, north of the parcels fronting Tweedy Boulevard and south of the Specific Plan boundary are primarily multifamily uses. The Specific Plan zoning continues to permit these uses with a Neighborhood Medium zoning designation. Per the City’s General Plan 2035, these parcels are designated Neighborhood-Low, which does not permit multifamily uses. In order to ensure consistency between the Specific Plan zoning and the General Plan 2035 Community Design Element, the latter document is being updated concurrently to ensure consistency between the two documents by changing the land use designation for these parcels to Neighborhood-Medium.

**SECTION 6.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to file with the County of Los Angeles a Notice of Determination relative to the foregoing adoption of the Negative Declaration, in accordance with the provisions of CEQA.

**SECTION 7.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to take all other actions which they deem necessary or appropriate to implement and enforce the purposes of this Resolution.

**SECTION 8.** The City Clerk shall certify to the adoption of this Resolution, which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this \_\_\_ day of February, 2019.


**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Raul F. Salinas, City Attorney

**RESOLUTION NO. \_\_\_\_\_**

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

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF SOUTH GATE, CALIFORNIA,  
APPROVING THE INITIAL STUDY & NEGATIVE  
DECLARATION, DATED APRIL 19, 2017, PERTAINING TO  
THE TWEEDY BOULEVARD SPECIFIC PLAN**

**WHEREAS**, the City is considering the adoption of the Tweedy Boulevard Specific Plan, consistent with the goals, policies and implementation measures set forth in the City's General Plan; and

**WHEREAS**, the proposed adoption of the Tweedy Boulevard Specific Plan ("Specific Plan") is a "Project" under the California Environmental Quality Act ("CEQA") which requires the City to evaluate and consider the effects on the environment of the City's adoption and implementation of that Specific Plan; and

**WHEREAS**, in accordance with CEQA, the City commissioned the preparation of an Initial Study to determine whether or not an Environmental Impact Report needed to be prepared relative to the Tweedy Boulevard Specific Plan; and

**WHEREAS**, the Initial Study revealed that the City's adoption and implementation of the Specific Plan would have no significant effects on the environment; and

**WHEREAS**, for that reason the City caused to be prepared a combined Initial Study & Negative Declaration ("Negative Declaration") pursuant to the requirements of CEQA; and

**WHEREAS**, the Negative Declaration was available for public review for the period required by CEQA, through and including May 8, 2017, at the following locations: the City's Community Development Department, 8650 California Avenue; Weaver Library, 4035 Tweedy Blvd; and Hollydale Library, 12000 Garfield Avenue; and

**WHEREAS**, the City Council has carefully considered all of the following: the Negative Declaration; the public comments received relative thereto; the maps, facts, exhibits, testimony, staff reports, and other evidence contained or referenced therein or submitted in connection therewith; and the substantial evidence in the record pertaining to all of the foregoing;

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

**SECTION 1.** The above recitals are all true and correct and incorporated herein by this reference.

**SECTION 2.** For the reasons specified in more detail in the Negative Declaration, dated April 19, 2017, the City Council finds that there is no substantial evidence in the record before it that the adoption or implementation of the Specific Plan will have a significant event on the environment.

**SECTION 3.** Although the Negative Declaration was prepared by a third-party consultant at the City's request, the City Council finds that the Negative Declaration reflects the City Council's independent judgment and analysis, based on the City Council's independent review of the Negative Declaration and the comments, maps, facts, exhibits, testimony, staff reports and other evidence referenced above.

**SECTION 4.** In light of all of the foregoing, the City Council hereby adopts the Negative Declaration.

**SECTION 5.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to file with the County of Los Angeles a Notice of Determination relative to the foregoing adoption of the Negative Declaration, in accordance with the provisions of CEQA.

**SECTION 6.** The City Manager, the Director of Community Development, and their designees are hereby authorized and directed to take all other actions which they deem necessary or appropriate to implement and enforce the purposes of this Resolution.

**SECTION 7.** The City Clerk shall certify to the adoption of this Resolution, which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this \_\_\_ day of February, 2019.

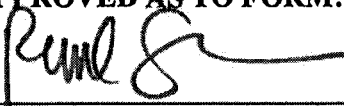
**CITY OF SOUTH GATE:**

\_\_\_\_\_  
María Belén Bernal, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Raul F. Salinas, City Attorney

**RESOLUTION NO. 2017-02**

**A RESOLUTION OF THE PLANNING COMMISSION  
RECOMMENDING THAT THE SOUTH GATE CITY  
COUNCIL ADOPT GENERAL PLAN AMENDMENT  
NO. 2017-01 ADDING PLACE TYPES "LIGHT  
INDUSTRIAL/FLEX" AND MANUFACTURING  
/DISTRIBUTION" TO THE TWEEDY EDUCATIONAL  
DISTRICT AND CHANGING THE RESIDENTIAL  
ZONING OF A PORTION OF THE SPECIFIC PLAN  
AREA FROM NEIGHBORHOOD-LOW TO  
NEIGHBORHOOD-MEDIUM, AND AN ORDINANCE  
AMENDING TITLE 11 (ZONING), BY ADDING  
LANGUAGE THAT ADDS THE TWEEDY  
BOULEVARD SPECIFIC PLAN**

**WHEREAS**, the Department of Community Development received instruction from the City Council to prepare a draft specific plan for Tweedy Boulevard with corresponding staff report and Planning Commission Resolution and present it to the Planning Commission; and

**WHEREAS**, the Planning Commission, upon giving the required notice, did on the 4<sup>th</sup> day of April and the 2<sup>nd</sup> day of May, 2017, conduct a duly advertised public hearing as required by law; notice of the hearing was published in the South Gate Press Newspaper on March 23 and April 20, 2017;

**WHEREAS**, studies and investigations were made and a staff report with recommendations was submitted; and

**WHEREAS**, the Planning Commission determined that the facts of this matter are as follows:

1. In 2012, the City applied for a State of California Sustainable Communities Planning Grant by the State of California's Department of Conservation, Division of Land Resources Protection, Strategic Growth Council. The application was submitted to fund and prepare a Specific Plan for Tweedy Boulevard ("Specific Plan") to implement the vision created by the recently updated Zoning Ordinance and General Plan.
2. In 2013, the City was awarded a \$570,000 State of California Sustainable Planning Grant by the Strategic Growth Council and the Arroyo Group was selected to prepare the Tweedy Boulevard and Hollydale Village Specific Plans.
3. The proposed Specific Plan adoption are necessary to implement the vision created by the recently updated Zoning Ordinance and General Plan.
4. The proposed General Plan amendment is necessary to ensure conformity between the General Plan and the Specific Plan
5. Notice for the Planning Commission hearing was published in the South Gate Press Newspaper on March 23 and April 20, 2017.

WHEREAS, the City Planning Commission made the following findings:

1. The public health, safety and welfare would not be adversely affected by approval of the proposed specific plan since the plan would be consistent with Action CD 6 of the Community Design Element of the General Plan and the requirements specified in state law.
2. The Specific Plan would not be detrimental to surrounding properties, since the proposed implementation of the Specific Plan furthers General Plan policies that promote the establishment of complete, pedestrian-oriented, mixed-use neighborhoods; access to open space; improved and efficient multi-modal connectivity, increased economic development opportunities and increased housing opportunities.
3. General Plan Amendment 2017-01 will introduce two additional place types, "Light Industrial/Flex" and "Manufacturing/Distribution", as permitted uses in the Tweedy Educational District, and changes the zoning designation of a small portion of the Specific Plan area from "Residential-Low" to "Residential-Medium".
4. With the approval of General Plan Amendment 2017-01, the proposed Tweedy Boulevard Specific Plan will be consistent with the provisions of the General Plan.
5. Because of the evidence that the adoption and implementation of the Specific Plan will have no significant effects on the environment, this report recommends adoption of the Initial Study/ Negative Declaration (IS/ND). The initial study and proposed negative declaration is available for public review at the Community Development Department, 8650 California Avenue; Weaver Library, 4035 Tweedy Blvd; and Hollydale Library, 12000 Garfield Ave.

**NOW, THEREFORE, BE IT RESOLVED:** That after careful consideration of maps, facts, exhibits, testimony, staff reports, public comments, other evidence submitted in this matter, and the substantial evidence in the record, the Planning Commission recommends that the City Council:


1. Adopt the Negative Declaration and direct staff to file a Notice of Determination.
2. Adopt the Tweedy Boulevard Specific Plan with the following amendments:
  - a. Library/Gallery/Museum (Page 35, Table 4-2) – The Commission unanimously recommended that the table of land uses be modified to show "A-P" (Subject to the review and approval of an Administrative Permit Review) for Library/Gallery/Museum, instead of requiring a CUP.
  - b. Alcohol Sales as Part of a Restaurant (Page 37, Table 4-2) – The Commission unanimously recommended deletion of the language requiring that restaurants serving alcohol be at least 100 feet away from a residential zone.
  - c. Antenna/Communications Equipment (Page 36, Table 4-2) – The Commission unanimously recommended that the table of land uses be modified to show "A-U" (Permitted as a secondary use in conjunction with a primary use.) in addition to the CUP requirements for Antenna/Communications Equipment.
3. Adopt General Plan Amendment No. 2017-01

**BE IT FURTHER RESOLVED**, that the Secretary of this Commission be directed to transmit to the City Council a copy of this resolution as the report of the findings and recommendations of the Planning Commission with reference to this matter.


This Resolution was adopted by the following vote at the Planning Commission meeting of May 2, 2017.

**AYES:** Chairperson Masushige, Commissioner Hurtado  
**NOES:** Commissioner Guevara  
**ABSENT:** None  
**NOT VOTING:** Commissioner Delgado, Commissioner Velasquez

**APPROVED and ADOPTED** this second day of May 2017.

  
\_\_\_\_\_  
Joe Perez  
Secretary  
City Planning Commission

**APPROVED:**

  
\_\_\_\_\_  
Sylvia Masushige  
Chairperson, City Planning Commission

**PUBLIC NOTICE  
CITY OF SOUTH GATE  
CITY COUNCIL**

**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of South Gate will hold a continued public hearing to consider approval of an Ordinance adopting the Tweedy Boulevard Specific Plan and adding it to the South Gate Municipal Code.

**DATE OF HEARING:** Tuesday, February 12, 2019  
**TIME OF HEARING:** 6:30 p.m.  
**LOCATION OF HEARING:** City Hall Council Chamber, City of South Gate  
8650 California Avenue South Gate, California

**PROJECT LOCATION:** Tweedy Boulevard, South Gate, CA

**PROJECT DESCRIPTION:** The City of South Gate has prepared a Public Hearing Draft Tweedy Boulevard Specific Plan, which includes changes to the zoning regulations code text, land use permissions and new design guidelines and standards. The Draft Tweedy Boulevard Specific Plan implements the General Plan 2035, however, in order to ensure consistency between the Specific Plan zoning and the General Plan 2035 Community Design Element, the latter document is being updated concurrently to ensure consistency between the two documents.

The focus of the Specific Plan is to revitalize Tweedy Boulevard by providing new mixed-uses, increasing housing opportunities and neighborhood-serving retail uses, and improving access to all modes of transportation.

**Please note that the Specific Plan:**

1. Does not include Eminent Domain and the taking of private properties for public or private use.
2. Does not include any specific development project.
3. Does not include the elimination of traffic lanes.
4. Does not include new or additional taxes.

All maps, environmental information, and other data pertinent to the proposed Plan are filed in the Community Development Department and will be available for your review prior to the public hearing. These are also available on the city's website: <http://tweedy.arroyogroup.com/>

**ENVIRONMENTAL REVIEW:** The City of South Gate is recommending adoption of the Initial Study/Negative Declaration (IS/ND).

**INVITATION TO BE HEARD:** All interested persons are invited to the public hearing to be heard in favor of or in opposition to the action or to provide comments. In addition, written comments may be submitted to the Community Development Department prior to the hearing. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this Notice, or in written correspondence delivered to the City of South Gate prior to or at the public hearing.

Those desiring a copy of the staff report or further information related to this project should contact

Contact: Steve Masura, Senior Planner  
Phone: 323-563-9526  
E-mail: [smasura@sogate.org](mailto:smasura@sogate.org)  
Mailing Address: Community Development Department  
City of South Gate  
8650 California Avenue  
South Gate, CA 90280-3075

**ESPAÑOL**

Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9526



RECEIVED

Item No. 8

MAR 6 2019

City of South Gate  
CITY COUNCIL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

3:50pm

AGENDA BILL

For the Regular Meeting of: March 12, 2019  
Originating Department: Administrative Services

Department Director:

  
Jackie Acosta

City Manager:

  
Michael Flad

**SUBJECT: PROFESSIONAL SERVICES AGREEMENT WITH UTILITY COST MANAGEMENT LLC (UCM) FOR UTILITY BILL AUDITING SERVICES (ELECTRICITY)**

**PURPOSE:** To approve a Professional Services Agreement to audit the electric bills of the City.

**RECOMMENDED ACTIONS:**

- a. Approve Professional Services Agreement with Utility Cost Management LLC for auditing of the City's electric bills; and
- b. Authorize the Mayor to execute the Professional Services Agreement in a form acceptable to the City Attorney.

**FISCAL IMPACT:** Unknown at this time, however, errors found that result in refunds or future savings will be shared with UCM. Refunds will be split 42% (UCM) / 58% (City). Future savings will be split in the same manner for three years.

**ALIGNMENT WITH COUNCIL GOALS:** The audit of utility bills furthers the achievement of Fiscal Year 2018/19 Work Program item #194 - to continue working with Southern California Edison to improve service reliability and cost.

**ANALYSIS:** Periodically, the City should undertake a review of the City's utility bills to ensure that the City is not being overcharged or billed for services not being used by the City.

**BACKGROUND:** Utility Cost Management LLC (UCM) is a company that analyzes utility bills of cities and private companies and seeks to recover overcharges on the client's behalf. To do so, UCM constantly monitors developments in the regulatory environment to ensure that utility bills are in line with the latest regulations and interpretive decisions. UCM will review the City's electric bills and if mistakes are found with respect to the rates being charged to the City, UCM will work with the utility company to apply the correct rate structures. In addition to reviewing the bills for rate structure errors, UCM applies and interprets the complex regulations upon which the bills are based to ensure that the City is not paying more than is required. If any savings can be realized, UCM would be paid 42% of the savings it recovers for the City for a period of three years. After the three year period, the City receives 100% of the savings. If the City obtains refunds, credits or future savings greater than \$125,000, then UCM's compensation will be limited to 30% of amounts greater than \$125,000. If no overcharge is found, the City pays nothing to UCM.

UCM proposes to gather and organize historical billing information on the electric utility accounts going back three years. UCM will analyze the bills and will submit a report summarizing the findings of its review. The report will contain an explanation of the grounds for all refunds and savings opportunities identified for each account, including calculations of the estimated savings and refunds expected to be achieved. UCM will also prepare all forms required to initiate changes to the electric utility accounts and will take all the necessary steps to implement the recommended changes, with the authorization of the City. This work includes preparing documentation supporting UCM's requests and meeting with utility company personnel to discuss each request. UCM also negotiates with utility authorities to ensure that refund calculations are acceptable and are paid in a timely manner. Once rate changes or refunds have been approved, UCM will notify City staff.

**ATTACHMENT:** Proposed Professional Services Agreement

## AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement for professional services ("Agreement") is made and entered into by and between the City of South Gate (hereinafter referred to as "City"), and Utility Cost Management LLC (hereinafter referred to as "Consultant").

The City and the Consultant agree as follows:

### RECITALS

- A. The City does not have the personnel able and/or available to perform the services required under this Agreement.
- B. The City desires to contract out for consulting services to audit electric utility bills.
- C. The Consultant warrants to the City that it has the qualifications, experience and facilities to perform properly and timely the services under this Agreement.
- D. The City desires to contract with the Consultant to perform the services described in Exhibit A of this Agreement.

NOW, THEREFORE, the City and Consultant agree as follows:

**1.0 SCOPE OF THE CONSULTANT'S SERVICES.** The Consultant agrees to provide the services and perform the tasks set forth in the Proposal attached hereto as Exhibit A and made part of this agreement. The Scope of Work may be amended from time to time by way of a written directive from the City.

**2.0 TERM OF AGREEMENT.** This Agreement will become effective on March 13, 2019 and will remain in effect for a period of three (3) years from said date or until project is completed, unless otherwise expressly extended and agreed to by both parties or terminated by either party as provided herein.

**3.0 CITY AGENT.** The Director of Administrative Services, for the purposes of this Agreement, is the agent for the City. Whenever approval or authorization is required, Consultant understands that the Director of Administrative Services, or her designee, has the authority to provide that approval or authorization.

**4.0 COMPENSATION FOR SERVICES.** The City shall pay the Consultant for its professional services rendered and costs incurred pursuant to this Agreement in accordance with the Consultant's fee and cost schedule included in Exhibit A. No additional compensation shall be paid for any other expenses incurred unless first approved by the Director of Administrative Services.

**4.1** The Consultant shall submit invoices to the City in accordance with Section 7 of Exhibit A. The City shall pay the Consultant within sixty (60) days of receipt of the invoice.

**4.2** No payment made hereunder by City to Consultant, other than the final payment, shall be construed as an acceptance by City of any work or materials, nor as evidence of satisfactory performance by Consultant of its obligations under this Agreement.

**5.0 CONFLICT OF INTEREST.** The Consultant represents that it presently has no interest and shall not acquire any interest, direct or indirect, in any real property located in the City which may be affected by the services to be performed by the Consultant under this Agreement. The Consultant further represents that in performance of this Agreement, no person having such interest shall be employed by it.

**5.1** The Consultant represents that no City employee or official has a material financial interest in the Consultant's business. During the term of this Agreement and/or as a result of being awarded this contract, Consultant shall not offer, encourage or accept any financial interest in the Consultant's business by any City employee or official.

**6.0 GENERAL TERMS AND CONDITIONS.**

**6.1 Termination.** Either the City Agent or Consultant may terminate this Agreement, without cause, by giving the other party ten (10) days written notice of such termination and the effective date thereof.

6.1.1 In the event of such termination, all finished or unfinished documents, reports, photographs, films, charts, data, studies, surveys, drawings, models, maps, or other documentation prepared by, or in the possession of, the Consultant under this Agreement shall be returned to the City. If the City terminates this Agreement without cause, the Consultant shall prepare and shall be entitled to receive compensation pursuant to a close-out bill for services rendered and fees incurred pursuant to this Agreement through the notice of termination. If the Consultant terminates this Agreement without cause, the Consultant shall be paid only for those services completed in a manner satisfactory to the City, which shall not be unreasonably determined.

6.1.2 If the Consultant or the City fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Consultant or the City violate any of the covenants, agreements, or stipulations of this Agreement, the Consultant or the City shall have the right to terminate this Agreement by giving written notice to the other party of such termination and specifying the effective date of such termination. The Consultant shall be entitled to receive compensation in accordance with the terms of this Agreement for any work satisfactorily completed hereunder. Notwithstanding the foregoing, the Consultants shall not be relieved of liability for damage sustained by virtue of any breach of this Agreement and any payments due under this Agreement may be withheld to offset anticipated damages.

**6.2 Non-Assignability.** The Consultant shall not assign or transfer any interest in this Agreement without the express prior written consent of the City.

**6.3 Non-Discrimination.** The Consultant shall not discriminate as to race, creed, gender, color, national origin or sexual orientation in the performance of its services and duties pursuant to this Agreement and will comply with all applicable laws, ordinances and codes of the Federal, State, County, and City governments.

**6.4 Insurance.** The Consultant shall submit to the City certificates indicating compliance with the following minimum insurance requirements no less than one (1) day prior to beginning of performance under this Agreement:

(a) **Workers' Compensation Insurance** as required by law. The Consultant shall require all subcontractors similarly to provide such workers' compensation insurance for their respective employees.

(b) **Comprehensive general and automotive liability insurance** protecting the Consultant in amounts not less than \$1,000,000 for personal injury to any one person, \$2,000,000 for injuries arising out of one occurrence, and \$1,000,000 for property damages or a combined single limit of \$1,000,000. Each such policy of insurance shall:

i. Be issued by a financially responsible insurance company or companies admitted or authorized to do business in the State of California or which is approved in writing by the City.

ii. Name and list as additional insured the City, its officers and employees.

iii. Specify its acts as primary insurance.

iv. Contain a clause substantially in the following words: "It is hereby understood and agreed that this policy shall not be canceled except upon thirty (30) days prior written notice to the City of such cancellation or material change."

v. Cover the operations of the Consultant pursuant to the terms of this Agreement.

**6.5 Indemnification.** Consultant agrees to indemnify, defend and hold harmless the City and/or any other City agency, for/from any and all claims or actions of any kind asserted against the City and/or any other City agency arising out of Consultant's (including Consultant's employees, representatives, products and subcontractors) negligent performance under this agreement, excepting only such claims or actions which may arise out of sole or active negligence of the City and/or any other City agency, or any third parties not acting on behalf of, at the direction of, or under the control of the Consultant.

**6.6 Compliance With Applicable Law.** The consultant and the City shall comply with all applicable laws, ordinances and codes of the Federal, State, County and City governments.

**6.7 Independent Contractor.** This Agreement is by and between the City and the Consultant and is not intended, nor shall it be construed, to create the relationship of agency, servant, employee, partnership, joint venture or association, as between the City and the Consultant.

6.7.1. The Consultant shall be an independent contractor and shall have no power to incur any debt or obligation for or on behalf of the City. Neither the City nor any of its officers or employees shall have any control over the conduct of the Consultant, or any of the Consultant's employees, except as herein set forth, and the Consultant expressly warrants not to, at any time or in any manner represent that it, or any of its agents, servants or employees are in any manner employees of the City, it being distinctly understood that the Consultant is and shall at all times remain to the City a wholly independent contractor and the Consultant's obligations to the City are solely such as are prescribed by this Agreement.

**6.8 Copyright.** No reports, maps or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Consultant.

**6.9 Legal Construction.**

a) This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced and governed under the laws of the State of California.

b) This Agreement shall be construed without regard to the identity of the persons who drafted its various provisions. Each and every provision of this Agreement shall be construed as though each of the parties participated equally in the drafting of the same, and any rule of construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.

c) The article and section, captions and headings herein have been inserted for convenience only and shall not be considered or referred to in resolving questions of interpretation or construction.

d) Whenever in this Agreement the context may so require, the masculine gender shall be deemed to refer to and include the feminine and neuter, and the singular shall refer to and include the plural.

**6.10 Counterparts.** This Agreement may be executed in counterparts and as so executed shall constitute an Agreement which shall be binding upon all parties herein.

**6.11 Final Payment Acceptance Constitutes Release.** The acceptance by the Consultant of the final payment made under this Agreement shall operate as and be a release of the City from all claims and liabilities for compensation to the Consultant for anything done, furnished or relating to the Consultant's work or services. Acceptance of payment shall be any negotiation of the City's check or the failure to make a written extra compensation claim within ten (10) calendar days of the receipt of that check. However, approval or payment by the City shall not constitute, nor be deemed, a release of the responsibility and liability of the Consultant, its employees, sub-

consultants and agents for the accuracy and competency of the information provided and/or work performed; nor shall such approval or payment be deemed to be an assumption of such responsibility or liability by the City for any defect or error in the work prepared by the Consultant, its employees, sub-consultants and agents.

**6.12 Corrections.** In addition to the above indemnification obligations, the Consultant shall correct, at its expense, all errors in the work which may be disclosed during the City's review of the Consultant's report or plans. Should the Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by the City, and the cost thereof shall be charged to the Consultant.

**6.13 Files.** All files of the Consultant pertaining to the City shall be and remain the property of the City. The Consultant will control the physical location of such files during the term of this Agreement and shall be entitled to retain copies of such files upon termination of this Agreement.

**6.14 Waiver; Remedies Cumulative.** Failure by a party to insist upon the performance of any of the provisions of this Agreement by the other party, irrespective of the length of time for which such failure continues, shall not constitute a waiver of such party's right to demand compliance by such other party in the future. No waiver by a party of a default or breach of the other party shall be effective or binding upon such a party unless made in writing by such party, and no such waiver shall be implied from any omissions by a party to take any action with respect to such default or breach. No express written waiver of a specified default or breach shall affect any other default or breach, or cover any other period of time, other than any default or breach and/or period of time specified. All of the remedies permitted or available to a party under this Agreement, or at law or in equity, shall be cumulative and alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right of remedy.

**6.15 Mitigation of Damages.** In all such situations arising out of this Agreement, the parties shall attempt to avoid and minimize the damages resulting from the conduct of the other party.

**6.16 Partial Invalidity.** If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

**6.17 Attorney's Fees.** The parties hereto acknowledge and agree that each will bear his or its own costs, expenses and attorney's fees arising out of and/or connected with the negotiation, drafting and execution of the Agreement, and all matters arising out of or connected therewith except that, in the event any action is brought by any party hereto to enforce this Agreement, the prevailing party in such action shall be entitled to reasonable attorney's fees and costs in addition to all other relief to which that party or those parties may be entitled.

**6.18 Entire Agreement.** This Agreement constitutes the whole agreement between the City and the Consultant, and neither party has made any representations to the other except as expressly contained herein. Neither party, in executing or performing this Agreement, is relying upon any statement or information not contained in this Agreement. Any changes or modifications to this Agreement must be made in writing appropriately executed by both the City and the Consultant.

**6.19 Notices.** Any notice required to be given hereunder shall be deemed to have been given by depositing said notice in the United States mail, postage prepaid, and addressed as follows:

**TO CITY:** Jackie Acosta  
Director of Administrative Services  
City of South Gate  
8650 California Avenue  
South Gate, CA 90280  
(323) 563-9524

**TO CONSULTANT:** Chris Wiehl  
Vice President of Sales & Marketing  
Utility Cost Management LLC (UCM)  
1100 W. Shaw Ave., Suite 126  
Fresno, CA 93711  
(559) 261-9237

**6.20 Warranty of Authorized Signatories.** Each of the signatories hereto warrants and represents that he or she is competent and authorized to enter into this Agreement on behalf of the party for whom he or she purports to sign.

**6.21 Consultation With Attorney.** Consultant warrants and represents that it has consulted with an attorney or knowingly and voluntarily decided to forgo such a consultation.



**6.22 Interpretation Against Drafting Party.** City and Consultant agree that they have cooperated in the review and drafting of this Agreement. Accordingly, in the event of any ambiguity, neither side may claim that the interpretation of the Agreement shall be construed against either party solely because that party drafted all or a portion of the Agreement, or the clause at issue.

This Agreement is executed this 13<sup>th</sup> day of March 2019, at South Gate, California.

CITY OF SOUTH GATE:

\_\_\_\_\_  
María Belén Bernal, Mayor

ATTEST:

\_\_\_\_\_  
Carmen Avalos, City Clerk

CONSULTANT:

\_\_\_\_\_  
Chris Wiehl, VP of Sales & Marketing  
Utility Cost Management LLC (UCM)

APPROVED AS TO FORM:

**DRAFT**

\_\_\_\_\_  
Raul F. Salinas, City Attorney

**AGREEMENT TO PROVIDE  
UTILITY BILL AUDITING SERVICE**

This agreement is made by and between Utility Cost Management LLC ("UCM") and the entity signing below ("Client") as follows:

1. **Applicable to Client's Utility Accounts.** Unless otherwise stated in an addendum initialed by both parties, this Agreement will apply to all electricity accounts (and any related utility user taxes, other taxes, assessments, surcharges or fees) with respect to which Client:
  - (a) is receiving utility service as of the Effective Date (as defined below),
  - (b) has received utility service within three years prior to the Effective Date,
  - (c) receives utility service within one year after the Effective Date, or
  - (d) has permitted or authorized UCM to obtain a copy of the electricity bill.
 The electric accounts described in this paragraph are hereinafter referred to as "Utility Accounts." The "Effective Date," as that term is used above, is the first day of the calendar month after both UCM and Client have signed this Agreement.
2. **Client to Provide Utility Bills.** On or promptly after Client's execution of this Agreement, Client will provide UCM with a copy of at least one month's utility bills for all of Client's Utility Accounts.
3. **UCM Authorized to Obtain Information on Utility Accounts.** UCM is hereby authorized to obtain information relating to the Utility Accounts directly from utility provider personnel and utility provider web sites. If site visits are necessary, UCM will first obtain proper authorization.
4. **UCM's Findings Letter.** UCM will use its best efforts to identify the basis for any refunds, credits or Future Savings (as defined below) on Client's Utility Accounts. UCM will send one or more "Findings Letters" to Client that generally set forth the basis for any refunds, credits or Future Savings identified by UCM. UCM may, from time to time, supplement or amend the Findings Letter.
5. **Steps to Obtain Refunds or Savings.** After receiving written authorization from Client, UCM will take necessary steps to obtain the refunds, credits or Future Savings identified in the Findings Letter. Such steps may include, but are not limited to, communicating, negotiating and dealing with utility providers (or, in the case of utility user taxes or other governmental charges, the appropriate government entity), and seeking relief from the California Public Utilities Commission in a complaint proceeding or other proceeding. For any refunds, credits or Future Savings in which the amount to be received by Client is the result of a negotiated settlement with a utility provider, the decision to accept the settlement will rest solely with Client.
6. **Cooperation By Client.** Client will cooperate with UCM, as reasonable, in UCM's efforts to carry out the purposes and intent of this Agreement. Such cooperation will include, but not be limited to, providing information upon request by UCM concerning Client's utility expenditures, utility service and operations.
7. **UCM's Compensation.**

UCM's compensation will consist of the amounts set forth in both (a) and (b) below.

- (a) **Refunds or Credits.** If Client receives a refund or credit that was identified in the Findings Letter, then Client will pay to UCM 42% of the amount refunded or credited. The amount of the refund or credit for this purpose will include all amounts refunded or credited (including any portion attributable to interest) for any overcharges that were incurred by Client prior to the date that the overcharges no longer appeared on the Client's utility bill. Payment of UCM's 42% compensation is due within 60 days of the date UCM mails an invoice to Client.
- (b) **Future Savings.** If Client obtains Future Savings on its bills that were identified in the Findings Letter, then Client will pay UCM 42% of such Future Savings that accrue during a Three-Year Savings Period. "Future Savings" is the amount by which Client's charges on its Utility Accounts are reduced as a result of a change in the billing rate, calculation, method or procedure. Future Savings will be calculated as the difference between the amount the Client was billed on its Utility Accounts during the Three-Year Savings Period, and the amount that it would have been billed on its Utility Accounts during the Three-Year Savings Period if there had been no change in its billing rate,

calculation, method or procedure. The Three-Year Savings Period begins on the date that the change in the billing rate, calculation, method or procedure is first reflected on Client's utility bill, and ends three years thereafter. UCM will submit invoices to Client for payment based on the Future Savings as they accrue. The invoices will verify (a) that Future Savings have actually been realized by Client, and (b) the amount of such Future Savings. Payment of UCM's invoices is due within 60 days of the date the invoices are mailed to Client. Under no circumstances will UCM be paid under the terms of paragraphs (a) and (b) until after Client has received refunds, credits or Future Savings. The compensation under this subparagraph will not include compensation for Future Savings that are: (a) the result of a reduction in the amount of utility usage by Client, or (b) the result of Client's utilization of a different utility supplier that provides lower cost utility service.

(c) **UCM's Compensation not to exceed 30% of Refund, Credit or Future Savings over \$125,000.** Notwithstanding, the terms stated above, if the City obtains refunds, credits or future savings greater than \$125,000 over the term of this, then UCM's compensation will be limited to 30% of amounts greater than \$125,000.

(d) **Client's Prior Knowledge of Basis For Refund, Credit, or Future Savings.** Client is not obligated to pay UCM pursuant to this paragraph for any refund, credit or Future Savings received by Client for which Client had submitted to the utility provider a written claim prior to the date of UCM's Findings Letter. However, Client is obligated to pay UCM pursuant to this paragraph whether or not Client knew of the basis for the refund, credit or Future Savings prior to the date of UCM's Findings Letter, and whether or not Client's receipt of the refund, credit or Future Savings was the result of steps taken by UCM or others, including attorneys.

8. **Termination; Effect.** This Agreement will terminate 10 days after either party faxes a written notice of termination to the other party. Upon termination, UCM will cease all work on behalf of Client. However, if termination occurs after UCM has sent its Findings Letter to Client, then Client will remain obligated to pay UCM, pursuant to this Agreement, for any refunds, credits or Future Savings that were identified in the Findings Letter and that are thereafter obtained by Client. UCM may continue to obtain and review Client's utility billing and other information following termination in order to periodically verify whether Client has obtained a refund, credit or Future Savings that was identified in the Findings Letter.

9. **If Client Is Not Utility Customer.** By providing a copy of any utility bill to UCM, Client is thereby agreeing that the Utility Account represented by such bill will be governed by this Agreement, regardless of whether or not Client is the Utility Customer with respect to such Utility Account. For purposes of this Agreement, the Utility Customer is the entity that (i) is named on the Utility Account as reflected by the utility bill, (ii) receives the utility service on the Utility Account, (iii) pays for or is liable for the charges on the Utility Account, or (iv) is the owner of the property at which the utility service is provided on the Utility Account. If Client is not the Utility Customer for a Utility Account then, with respect to that Utility Account, Client represents that it is signing this Agreement in its capacity as agent for the Utility Customer, and as such is authorized to legally bind the Utility Customer to the terms of this Agreement. Client further agrees that the terms of this Agreement will be equally binding on both Client and Customer, that all references in this Agreement to "Client" will also be deemed to be references to the Utility Customer, and that Client and the Utility Customer will be jointly and severally liable for payment of UCM's compensation under this Agreement.

10. **No Legal Services.** Client acknowledges and understands that: (1) Only an attorney can provide legal services or advice, (2) UCM is not an attorney or law firm, and does not and will not provide legal services or advice, (3) UCM does not and will not act as an attorney for Client or any other person, (4) Nothing in this Agreement, and no act, omission or statement by UCM, or its owners or employees, will be construed to create an attorney-client relationship between UCM and Client or any other person, (5) UCM is not subject to the California Rules of Professional Conduct, which govern the conduct of attorneys, and (6) Client should consult an attorney if it wishes to receive legal services or advice.

11. **Disclosure of Information.** UCM may obtain information that pertains to Client's business, operations, or affairs, including but not limited to its utility charges and utility usage. Client expressly authorizes UCM to use and disclose such information to others as necessary or convenient to carry out the services contemplated by this Agreement.

12. **Release of Claims Against UCM.** Client acknowledges and agrees that UCM has made no express or implied representation or warranty that it will be successful in identifying or obtaining any refunds, credits, or Future Savings on Client's Utility Accounts. Client hereby covenants not to bring any action for damages against UCM that is based upon or relates to any failure by UCM to identify or obtain refunds, credits, or Future Savings to which Client was or is entitled.

13. **Late Payment Penalty.** If payment of any invoice is not received by UCM within 60 days of the date the invoice was mailed, then interest on the amount owing will accrue, beginning on the 61<sup>st</sup> day after the invoice was mailed to Client, at the rate of 1% per month (prorated on a daily basis). In addition, if any payment is not received by UCM within 90 days of the date the invoice was mailed to Client, then a fee equal to 5% of the amount owing (including any accrued interest) will be imposed on the 91<sup>st</sup> day after the invoice was mailed. Interest will continue to accrue at 1% per month (prorated on a daily basis) on the entire amount due until paid in full.
14. **Applicable Law.** This Agreement is executed in and intended to be performed in the State of California, and the laws of that state will govern its interpretation and effect.
15. **Venue.** Venue in any legal action arising from or related to this agreement will be Los Angeles County, California.
16. **Paragraph References.** A reference to a "paragraph" of this Agreement includes both the numbered paragraph, as well as the subparagraphs, if any, that are part of such paragraph. Subparagraphs are designated by lower case letters (e.g., "(a)," "(b)," "(c)").
17. **Severability.** If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the rest of the agreement shall remain in full force and effect and shall in no way be affected, impaired or invalidated.
18. **Interpretation.** In construing this Agreement, no consideration shall be given to the fact or presumption that any party had a greater or lesser hand in drafting of this Agreement.
19. **Entire Agreement.** This instrument contains the entire Agreement of the parties relating to the rights granted and obligations assumed in this instrument. Any oral representations or modifications concerning this instrument shall be of no force or effect unless contained in a subsequent written modification signed by the party to be charged.
20. **Signor Authorized to Bind Client.** The individual signing this agreement on behalf of Client hereby represents and warrants that he/she is authorized to sign on behalf of the Client and to legally bind Client to the terms of this Agreement.

<b>UTILITY COST MANAGEMENT LLC</b>
By: _____
Signature
_____
Print Name
_____
Title
_____
Date

<b>Print Client Name</b>
By: _____
Signature
_____
Print Name
_____
Title
_____
Date

**RECEIVED**

MAR 5 2019

**City of South Gate**  
CITY COUNCIL

**Item No. 9**

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER  
1:20pm

**AGENDA BILL**

For the Regular Meeting of: **March 12, 2019**

Originating Department: **Public Works**

Department Director: \_\_\_\_\_

*Arturo Cervantes*  
Arturo Cervantes

City Manager: \_\_\_\_\_

*Michael Flad*  
Michael Flad

**SUBJECT: NOTICE OF COMPLETION FOR THE SOUTH GATE CITY HALL LIGHTING IMPROVEMENTS, CITY PROJECT NO. 502-ARC**

**PURPOSE:** Construction of the South Gate City Hall Lighting Improvements Project (Project) is complete and the retention payment to the contractor is due. Section 7107 of the Public Contract Code requires the City to accept completion of the construction of the project and issue public notice of such, prior to releasing the retention payment.

**RECOMMENDED ACTIONS:**

- a. Accept completion of construction of the South Gate City Hall Lighting Improvements, City Project No. 502-ARC, effective January 8, 2019; and
- b. Direct the City Clerk to file a Notice of Completion with Los Angeles County Recorder's Office.

*AF* **FISCAL IMPACT:** The Project was budgeted with \$122,820 in General Funds, and services were funded as summarized below:

<b>Project Component</b>	<b>Account No. 311-790-31-9904</b>
<b>Final Design Costs</b>	<b>\$20,250</b>
<b>Final Construction Contract Amount</b>	<b>\$73,570</b>
Original Contract Amount	\$72,570
Change Order No. 1	\$1,000
<b>*Project Management &amp; Inspection</b>	<b>\$7,000</b>
<b>Project Total</b>	<b>\$100,820</b>

\*Staffing costs will continue to incur to process final payments and paperwork.

**ALIGNMENT WITH COUNCIL GOALS:** This item meets the City Council's goal for "Continuing Infrastructure Improvements of City Amenities & Enhancements." The goal identified in the 2018/19 Work Program was to substantially complete the construction of the project.

**ANALYSIS:** The Public Contract Code establishes requirements that the City must abide to prior to releasing the final payment on construction projects. The Notice of Completion provides written notice to concerned parties that all work on the project has been completed. The Notice of Completion initiates the period within which concerned parties may exercise their lien rights for the work they

performed on the project. The City may use a part or all of the retention payment to settle any liens exercised against the City. If no liens or claims have been filed within 35 days of the filing of the Notice of Completion, the City will release retention and any remaining amount due to Contractor.

**BACKGROUND:** The South Gate City Hall Lighting Improvements Project is a part of the Capital Improvement Program (CIP). The project was implemented to enhance visibility and address deferred maintenance needs. The improvements included exterior and interior lighting, safety lighting and miscellaneous electrical work.

On August 28, 2018, the City Council awarded Contract No. 3471 with Eric Bridge, DBA Huntington Beach Electric, in the amount of \$72,570 for the construction of the project. Construction began on October 15, 2018, and was accepted as complete by City staff on January 8, 2019.

The contractor met all of the contract obligations, and the City Council may now accept the construction of the project as complete.

There was one owner-initiated change order on the project. Change Order No. 1 was approved on February 14, 2019 in the amount of \$1,000. It was necessary to purchase and install one additional LED light fixture.

The Contract Change Order was approved administratively in accordance with South Gate Municipal Code Section 1.54.610 (Approval of modifications and change orders), of Chapter 1.54 (Purchasing System and Bidding Rules, of Title 1 (Administration and Personnel). This provision authorizes staff to approve change orders administratively that are equal to or less than \$50,000 or twenty percent of the original contract price.

- ATTACHMENTS:**
- A. Notice of Completion
  - B. Change Order No. 1

FS:lc

**RECORDING REQUESTED BY**

**AFTER RECORDING MAIL TO**

CITY CLERK OFFICE  
CITY OF SOUTH GATE  
8650 CALIFORNIA AVENUE  
SOUTH GATE, CA 90280

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**NOTICE OF COMPLETION**

NOTICE is hereby given that:

- 1 The undersigned is owner of the interest stated below in the property hereinafter described;
- 2 The NAME (including that of the undersigned), ADDRESS and NATURE OF TITLE of every person owning any Interest in such property is as follows:

FULL NAME	FULL ADDRESS	NATURE OF TITLE
City of South Gate	8650 California Avenue South Gate, CA 90280	In Fee

- 3 The names and addresses of the transferors of the undersigned owner: (to be shown if the undersigned is a successor in interest of the owner who caused the improvement to be constructed, etc.)
- 4 A work of improvement on the property hereinafter described was COMPLETED ON Jan. 8, 2019
- 5 The name of the CONTRACTOR, if any, for such work of improvement was Eric Bridge, DBA Huntington Beach Electric, 15951 Sherbeck Lane, Huntington Beach, CA 92647
- 6 The property on which said work of improvement was completed is in the City of South Gate, County of Los Angeles, State of California, and is described as follows:

**THE SOUTH GATE CITY HALL LIGHTING IMPROVEMENTS, CITY PROJECT NO. 502-ARC**

- 7 The street and address of said property is: 8650 California St., Dated: March 12, 2019  
South Gate, CA 90280

8 Signature of \_\_\_\_\_

**Owner or Owners** María Belén Bernal, Mayor  
City of South Gate

***A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.***

STATE OF CALIFORNIA            }  
  }  
COUNTY OF LOS ANGELES    }       SS

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, proved to me on the basis of satisfactory  
evidence to be the person(s) who appeared before me.

Signature: \_\_\_\_\_

Place Notary Seal Above



**CITY OF SOUTH GATE**

PUBLIC WORKS DEPARTMENT

**CONTRACT CHANGE ORDER**

CHANGE ORDER #: CCO 001

CITY PROJECT #: 602-ARC

PROJECT TITLE: Citywide Sidewalk Improvement Project, Phase V and the Walnut Street Parking Lot Improvements, City Project No. 566-ST

PURCHASE ORDER #: 4888

CONTRACT #: 3471

CHANGE REQUESTED BY: City of South Gate

CONTRACTOR: Huntington Beach Electric

DATE OF REPORT: 1/23/2019

You are hereby authorized to make the described changes from the plans and specifications or do the following described work not included in the plans and specifications for this contract. **NOTE: This Change Order is not effective until approved by the Engineer.**

	Cost	Working Days
Original contract amount	\$ 72,570.00	30
Previous Change Orders amount		
This Change Order amount	\$ 1,000.00	0
Total increase to contract (all change orders) to date	\$ 1,000.00	0
Revised total contract amount	\$ 73,570.00	30
Percentage of total increase (or decrease) to contract amount to date	1.38%	0.00%

**DESCRIPTION OF CHANGE ORDER WORK TO BE PERFORMED, ESTIMATE OF QUANTITIES, AND PRICES TO BE PAID:**

Change in Bid Item Quantities									
Item #	Description	Contract Quantity	Previous Change Orders Quantity	THIS Change Orders Quantity	Total Adjusted Contract Quantity	Unit	Unit Cost	Change Order Cost	Time Extension Working Days
S-1	Purchase and Install Decorative LED Post Top Fixture Mounting on Existing Pole; S1	10	0	1.00	11.00	SF	\$1,000.00	\$1,000.00	1

Total Cost: \$1,000.00

**THE TOTAL AMOUNT OF THIS CHANGE ORDER IS: \$67,570.28**

Approval Recommended by Frank Sanchez  
Frank Sanchez, P.E., Project Manager

Date \_\_\_\_\_

Approval Recommended by \_\_\_\_\_  
Clint Herrera, P.E., Assistant City Engineer

Date \_\_\_\_\_

Approved by \_\_\_\_\_  
Arturo Cervantes, P.E., Director of Public Works / City Engineer

Date \_\_\_\_\_

Approved by \_\_\_\_\_  
Jackie Acosta, Director of Administrative Services

Date \_\_\_\_\_

We the undersigned Contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may be otherwise noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above. **NOTE: If you, the Contractor, do not sign acceptance of this Order, your attention is directed to the requirements of the Specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.**

Accepted by \_\_\_\_\_  
Contractor's Representative

Date \_\_\_\_\_

Title \_\_\_\_\_

**RECEIVED**

MAR 5 2019

**City of South Gate**  
CITY COUNCIL

**Item No. 10**

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

1:20pm

**AGENDA BILL**

For the Regular Meeting of: **March 12, 2019**

Originating Department: **Public Works**

Department Director: \_\_\_\_\_

*Arturo Cervantes*  
Arturo Cervantes

City Manager: \_\_\_\_\_

*Michael Flad*  
Michael Flad

**SUBJECT: NOTICE OF COMPLETION FOR THE HOLLYDALE RESOURCE CENTER ELECTRICAL UPGRADES, CITY PROJECT NO. 516-ARC**

**PURPOSE:** Construction on the Hollydale Resource Center Electrical Upgrades (Project) is complete and the retention payment to the contractor is due. Section 7107 of the Public Contract Code requires the City to accept completion of the construction of the project and issue public notice of such, prior to releasing the retention payment.

**RECOMMENDED ACTIONS:**

- a. Accept completion of construction of the Hollydale Resource Center Electrical Upgrades, City Project No. 516-ARC, effective February 20, 2019; and
- b. Direct the City Clerk to file a Notice of Completion with Los Angeles County Recorder's Office.

**FISCAL IMPACT:** The Project budget was \$57,083 as summarized in the table below:

Project Component	Facilities & Maintenance 100-471-61-6702	Prop A Maintenance & Servicing 100-471-61-9100	Building & Infrastructure Maintenance 524-710-12-7999	Total
Final Design Cost	\$12,083	\$0	\$0	\$12,083
Final Contract Total	\$0	\$39,490	\$0	\$39,490
* Project Management & Inspection	\$0	\$0	\$3,000	\$3,000
<b>Project Total</b>	\$12,083	\$39,490	\$3,000	<b>\$54,573</b>

\*Staffing costs will continue to incur to process final payments and paperwork.

**ALIGNMENT WITH COUNCIL GOALS:** This Project meets the City Council's goal for "Continuing Infrastructure Improvements." The goal identified in the 2018/19 Work Program is to complete construction of the project.

**ANALYSIS:** The Public Contract Code establishes requirements that the City must abide to prior to releasing the final payment on construction projects. The Notice of Completion provides written notice to concerned parties that all work on the project has been completed. The Notice of Completion initiates the period within which concerned parties may exercise their lien rights for the work they performed on the project. The City may use a part or all of the retention payment to settle any liens

exercised against the City. If no liens or claims have been filed within 35 days of the filing of the Notice of Completion, the City will release retention and any remaining amount due to Contractor.

**BACKGROUND:** The Hollydale Resource Center Electrical Upgrades Improvement Project is a part of the Capital Improvement Program (CIP). The Project entailed upgrading the existing electrical panel and service line. The improvements were needed to address an electrical issue that was causing the HVAC system to malfunction.

On July 20, 2018, a contract (Contract No. 3462) was executed by the City and the Contractor; Eric Bridge, DBA Huntington Beach Electric in the amount of \$39,490. Construction began on July 30, 2018, and was accepted as complete by City staff on January 3, 2019.

The contractor has met all of the contract obligations, and the City Council may now accept the construction of the project as complete.

Eric Bridge, DBA Huntington Beach Electric was selected through the informal bidding procedure outlined in Section 1.54.450 (Informal bidding procedures for contracts between forty-five thousand dollars and one hundred seventy-five thousand dollars (or such other amounts as may hereafter be established by state law) pertaining to public projects and certain other construction-related activities), of the South Gate Municipal Code. One (1) bid was received in the City Clerk's Office and the project was awarded to the lowest responsive and responsible bidder. The contract was awarded administratively in accordance with Subsection C. of Section 1.54.420 (Duties and responsibilities of Public Works Director), of the South Gate Municipal Code. This Section provides that the City Manager or designee, has the authority to award contracts let through the informal bidding procedure, to the lowest responsive and responsible bidder.

**ATTACHMENT:** Notice of Completion

ES:lc

**RECORDING REQUESTED BY**

**AFTER RECORDING MAIL TO**

CITY CLERK OFFICE  
CITY OF SOUTH GATE  
8650 CALIFORNIA AVENUE  
SOUTH GATE, CA 90280

**SPACE ABOVE THIS LINE FOR RECORDER'S USE**

**NOTICE OF COMPLETION**

NOTICE is hereby given that:

- 1 The undersigned is owner of the interest stated below in the property hereinafter described;
- 2 The NAME (including that of the undersigned), ADDRESS and NATURE OF TITLE of every person owning any interest in such property is as follows:

FULL NAME	FULL ADDRESS	NATURE OF TITLE
City of South Gate	8650 California Avenue South Gate, CA 90280	In Fee

- 3 The names and addresses of the transferors of the undersigned owner: (to be shown if the undersigned is a successor in interest of the owner who caused the improvement to be constructed, etc.)
- 4 A work of improvement on the property hereinafter described was COMPLETED ON February 20, 2019

5 The name of the CONTRACTOR, if any, for such work of improvement; **Huntington Beach Electric  
17632 Metzler Ln. Suite 213, Huntington Beach, CA 92647**

6 The property on which said work of improvement was completed is in the City of South Gate, County of Los Angeles, State of California, and is described as follows:

**HOLLYDALE RESOURCE CENTER ELECTRICAL UPGRADES, CITY PROJECT NO. 516-ARC**

7 The street and address of said property is: 12221 Industrial Avenue Dated: March 12, 2019  
South Gate, CA 90280

8 Signature of }

**Owner or Owners**

María Belén Bernal, Mayor, City of South Gate

***A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.***

STATE OF CALIFORNIA            }  
  }  
COUNTY OF LOS ANGELES    }       SS

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, proved to me on the basis of satisfactory  
evidence to be the person(s) who appeared before me.

Signature: \_\_\_\_\_

Place Notary Seal Above

**RECEIVED**

**Item No. 11**

MAR 6 2019

**City of South Gate**

**CITY COUNCIL**

**CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER**

9:10am

**AGENDA BILL**

For the Regular Meeting of: March 12, 2019

Originating Department: Community Development

Department Director:

*Joe Perez*  
Joe Perez

City Manager:

*Michael Flad*  
Michael Flad

**SUBJECT: LETTERS PROTESTING THE REQUEST FOR PROPOSALS REGARDING FORMER AMERICAN LEGION SITE IN THE CITY OF DOWNEY (11269 GARFIELD AVENUE) AND RESPONDING TO THE NOTICE OF PREPARATION OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR RANCHO LOS AMIGOS SOUTH CAMPUS SPECIFIC PLAN**

**PURPOSE:** To consider approving two letters to the City of Downey concerning the former American Legion site located at 11269 Garfield Avenue (Property) in the City of Downey. The first letter, from the Mayor, protests the Request for Proposals (RFP) for a proposed housing development at the Property and expresses concerns regarding the Notice of Preparation (NOP) of a Draft Program Environmental Impact Report (EIR) for the proposed Rancho Los Amigos South Campus Specific Plan. The second letter, from City Staff, addresses technical concerns regarding the NOP and EIR for the proposed Rancho Los Amigos South Campus Specific Plan and states the need for Downey to withdraw and reissue the NOP to include the Project. The proposed Specific Plan will address several factors, including future land uses at the Property. Both letters are intended to preserve and enhance the quality of life for South Gate residents that are in close proximity to the Property.

**RECOMMENDED ACTIONS:**

- a. Authorize the Mayor to execute the letter to the City of Downey protesting the Request for Proposals for a proposed housing development at the County-owned property, former American Legion Site, located at 11269 Garfield Avenue and expressing concerns regarding the Notice of Preparation of a Draft Program Environmental Impact Report for the proposed Rancho Los Amigos South Campus Specific Plan; and
- b. Direct the City Manager or his designee to execute the letter to the City of Downey stating the City of South Gate's concerns regarding the Notice of Preparation of a Draft Program Environmental Impact Report for the proposed Rancho Los Amigos South Campus Specific Plan; and
- c. Direct the City Manager to send the two aforementioned letters to the City of Downey.

**FISCAL IMPACT:** None.

**ANALYSIS:** The Los Angeles County (County) owns a 2.2 acre property at 11269 Garfield Avenue, located at the northwest corner of Garfield Avenue and Gardendale Street (within the

City of Downey). This property is on the border of Downey and the Hollydale community of South Gate. The County formerly leased the Property to the American Legion Hollydale Post #723, which vacated the Property in November 2018. The 6,840 square foot building and parking lot previously used by the American Legion were demolished in December 2018.

Several South Gate residents from the Hollydale community have expressed concerns about the potential impacts such a development could have on their neighborhood. Furthermore, the South Gate City Council has formally opposed the proposed housing project. The City's position was communicated in an October 9, 2018 letter that stated the City Council's opposition to the project and urged the County and City of Downey to: consider other land uses at the Property that are compatible with the surrounding neighborhood; consider constructing the proposed housing development on other County-owned property in Downey that is appropriately located for such a use (e.g. Rancho Los Amigos campus); and discuss the possible purchase and annexation of the Property by the City of South Gate.

### Request for Proposals

In August 2018, the City of Downey and the County entered into a Memorandum of Understanding (MOU) regarding the exploration of an affordable housing project at the site. The MOU calls for a collaborative effort between Downey and the County in preparing a Request for Proposals from the development community for a possible supportive housing development for homeless and low-to-moderate income veterans.

On January 9, 2019, the County released an RFP for development of the Property. The RFP states that the County and the City of Downey are interested in the development of the site for affordable housing for veterans that also includes common area space for counseling, physical rehabilitation, and a variety of social, workforce and other related community services for residents and other community members.

Proposals were originally due to the County by February 21, 2019, however, this deadline was extended to March 7, 2019. After the County evaluates the proposals, it is estimated that the Board of Supervisors will approve an Exclusive Negotiating Agreement with the selected developer in summer 2019.

### Notice of Preparation - Rancho Los Amigos South Campus Specific Plan

On February 13, 2019, the City of Downey issued a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Rancho Los Amigos South Campus Specific Plan. The NOP is a requirement of the California Environmental Quality Act (CEQA) and, along with a mandatory scoping meeting held on February 25, 2019, is intended to: inform the public of the proposed project and City's intent to prepare Program Environmental Impact Report; present an overview of CEQA process; review topics to be addressed in the EIR; and receive input from the public on issues of concern/topics to be addressed in the EIR. The public comment period for the NOP ends March 15, 2019.

The Specific Plan encompasses approximately 172 acres (see attached map) and includes the former American Legion property. According to the NOP, the goal of the Specific Plan is to promote infill development of vacant properties and encourage various types of uses, including commercial, retail, mixed-use, and residential and public/open space. It is anticipated that the Specific Plan will alter the current zoning of the former American Legion site to allow the County's proposed housing development.

#### Draft Letters to City of Downey

Attached are two draft letters to the City of Downey addressing the proposed housing project on the Property. The first letter, from the Mayor, protests the RFP for a proposed housing development at the Property and expresses concerns regarding the NOP of a Draft Program Environmental Impact Report (EIR) for the proposed Rancho Los Amigos South Campus Specific Plan. In particular, the letter states that the Memorandum of Understanding between the City of Downey and County, as well as the issuance of the RFP for the Property have been done so without any environmental considerations or analysis into alternative sites for a housing project and other uses for the Property that are more compatible with the surrounding neighborhood. In addition, the letter states that the NOP Scoping Meeting held by Downey on February 25, 2019 does not fulfill the need to consult with other agencies to preempt potential problems. The letter concludes by urging Downey to engage in a consultation process with South Gate to determine feasible and environmentally superior alternatives for the Property.

The second letter, from City Staff, addresses technical concerns regarding the NOP and EIR for the proposed Rancho Los Amigos South Campus Specific Plan. The letter notes the NOP's failure to mention the Project in the NOP. The letter also points out the problem of "project-splitting" and "piecemealing" the various aspects of the Project for CEQA review. The letter concludes by stating the need for Downey to withdraw the current NOP and reissue the NOP to include the Project.

- ATTACHMENTS:**
- A. Draft Letter Protesting RFP & NOP
  - B. Draft Letter Regarding NOP of Draft EIR for Rancho Los Amigos South Campus Specific Plan
  - C. Regional and Local Maps of Rancho Los Amigos South Campus Specific Plan Area





# City of South Gate

8650 CALIFORNIA AVENUE • SOUTH GATE, CALIFORNIA • 90280-1666 (323) 563-9509  
HOURS OF OPERATION • MONDAY - THURSDAY - 7:00 A.M. TO 5:30 P.M. • Fax (323) 569-2678

March 12, 2019

Mayor Sean Ashton and City Council Members  
City of Downey  
11111 Brookshire Avenue  
Downey, CA. 90241

## **RE: PROPOSED HOUSING PROJECT AT 11269 GARFIELD AVENUE, DOWNEY, CA**

Honorable Mayor Ashton and Council Members:

As you know, on October 9, 2018, I wrote to you on behalf of my City Council to express the City of South Gate's strong opposition to the development of a housing project on the County-owned property at 11269 Garfield Avenue (the Site). My letter followed on the heels of the City of Downey and the County entering into a memorandum of understanding (MOU), calling for Downey to assist the County in developing a homeless housing project on the Site (Project), with Downey's responsibilities including assisting the County in preparing a Request for Proposals (RFP) for such a development, evaluating proposals, and selecting a developer.

On January 9th, the County issued the RFP, with proposals due February 21st. While reading the RFP might lead one to think that developing the Project on the Site is solely a County endeavor, other evidence indicates it is a Downey one too. For example, the RFP that Downey assisted the County in preparing obliges the selected developer to obtain proper land use entitlements for the Project from Downey. In addition, the Agenda Memo for Item 14 on your city council's February 12th public meeting agenda indicated this. Item 14 recommended your city council approve up to \$209,600 in relocation assistance to American Legion Hollydale Post #723. By this action, Downey conceded that the Project is "a program or project undertaken by a public entity [*i.e.*, Downey]" under the California Relocation Assistance Act, else Downey would have no obligation to pay these relocation benefits. (Gov. Code § 7260(c)(1)(A)(i).)

The foregoing actions indicate the County and Downey have already committed to developing the Project on the Site, and this despite the City of South Gate urging Downey to explore (1) a housing project at a more appropriate location in Downey, and (2) other uses for the Site that would be more compatible with surrounding properties—especially those in South Gate. For example, the RFP stated [p. 7] that "[t]he County can only enter into an agreement for development of the property after all appropriate entitlements and environmental clearances have been completed." It appears that, despite this boilerplate language conditioning the Project's approval on compliance with the California Environmental Quality Act (CEQA), the County and

Downey have already committed to only the Project being developed on the Site and nowhere else, thereby frustrating a key purpose of the CEQA process:

“Choosing the precise time for CEQA compliance involves a balancing of competing factors. EIRs and negative declarations should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet late enough to provide meaningful information for environmental assessment.

(1) With public projects, at the earliest feasible time, project sponsors shall incorporate environmental considerations into project conceptualization, design, and planning. CEQA compliance should be completed prior to acquisition of a site for a public project.

(2) To implement the above principles, public agencies shall not undertake actions concerning the proposed public project that would have a significant adverse effect or limit the choice of alternatives or mitigation measures, before completion of CEQA compliance. For example, agencies shall not:

(A) Formally make a decision to proceed with the use of a site for facilities which would require CEQA review, regardless of whether the agency has made any final purchase of the site for these facilities, except that agencies may designate a preferred site for CEQA review and may enter into land acquisition agreements when the agency has conditioned the agency’s future use of the site on CEQA compliance.

(B) Otherwise take any action which gives impetus to a planned or foreseeable project in a manner that forecloses alternatives or mitigation measures that would ordinarily be part of CEQA review of that public project.”

(CEQA Guidelines § 15004(b); emphasis added.) The City of South Gate’s concern here is that the CEQA process the County and/or Downey intend to employ here will be a post hoc rationalization of a prior decision to develop the Project at the Site and nowhere else. Courts have consistently condemned this approach to CEQA:

“CEQA requires that an agency determine whether a project may have a significant environmental impact, and thus whether an EIR is required, before it approves that project. [] A fundamental purpose of an EIR is to provide decision makers with information they can use in deciding whether to approve a proposed project, not to inform them of the environmental effects of projects that they have already approved. If post approval environmental review were allowed, EIR’s would likely become nothing more than post hoc rationalizations to support action already taken. We have expressly condemned this use of EIR’s.”

*(Laurel Heights Improvement Assn. v. Regents of Univ. of Calif. (1988) 47 Cal.3d 376, 394; see also Save Tara v. City of West Hollywood (2008) 45 Cal.4th 116, 132 [“if the agreement, viewed in light of all the surrounding circumstances, commits the public agency as a practical matter to the project, the simple insertion of a CEQA compliance condition will not save the agreement from being considered an approval requiring prior environmental review.”].)*

The City of South Gate has received Downey’s February 13th Notice of Preparation (NOP) of a draft programmatic environmental impact report (PEIR) for a project identified as the “Rancho Los Amigos South Campus Specific Plan.” Despite the proposed specific plan’s boundaries including the Site, and the County and Downey already seeking a developer to develop the Project at the Site, the NOP nowhere mentioned the Project. The NOP also noticed a February 25th “informational” scoping meeting which City of South Gate staff attended. Such a meeting hardly fulfills the purpose of scoping. Properly done, scoping involves more than an informational meeting: it involves actually consulting with other public agencies in order to preempt problems. (See CEQA Guidelines § 15083 [“Many public agencies have found that early consultation solves many potential problems that would that arise in more serious form later in the review process.”].)

The reason why a proactive, substantive consultation process between our two cities is so critical here was expressed in my October 9, 2018 letter to you. As I noted, there are several other County-owned sites in Downey that are vastly better suited for the Project, and there are superior alternative uses for the Site. And as I also noted, the City of South Gate desires to discuss these alternative locations and alternative uses with the County and Downey as well as possible annexation. Thus, I would urge you to direct your staff to engage in a consultation process with City of South Gate staff regarding these feasible and environmentally superior alternatives. Please have your staff contact the City of South Gate’s Director of Community Development, Joe Perez [323-563-9566], to arrange this consultation meeting during the NOP’s 30-day period.

Thank you for your consideration, and we look forward to your reaching out to our staff to begin the consultation process.

Sincerely,

María Belén Bernal  
Mayor

cc: Honorable Supervisor Hilda Solis, First District  
Honorable Supervisor Janice Hahn, Fourth District  
City Manager Gilbert Livas, City of Downey  
Community Development Director Aldo E. Schindler, City of Downey  
Assistant Director Lynn Katano, LA County CDC



# City of South Gate

8650 CALIFORNIA AVENUE • SOUTH GATE, CALIFORNIA • 90280-1666 (323) 563-9529  
HOURS OF OPERATION • MONDAY - THURSDAY - 7:00 A.M. TO 5:30 P.M. • Fax (323) 567-0725

March 12, 2019

Aldo E. Schindler, Community Development Director  
David Blumenthal, City Planner  
City of Downey  
11111 Brookshire Avenue  
Downey, CA. 90241

**RE: NOTICE OF PREPARATION OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT  
[Rancho Los Amigo South Campus Specific Plan, City of Downey, California]**

Dear Mrs. Schindler and Blumenthal:

I am writing in response to the City of Downey's Notice of Preparation (NOP) of a draft programmatic environmental impact report dated February 13, 2019, for a project identified as the "Rancho Los Amigos South Campus Specific Plan." I am also writing to follow up on Mayor María Bernal's letter dated March 12, 2019, to your mayor and city council, requesting that the staffs of our cities commence a consultation process regarding the draft Program Environmental Impact Report (PEIR).

At the outset, the City of South Gate is unclear as to why the NOP does not make any mention of the County's and Downey's plan to develop a homeless housing project (the Project) on the County-owned property at 11269 Garfield Avenue (the Site). As Mayor Bernal's letter sets out, it is no secret that the County and Downey are actively coordinating plans to develop the Project at the Site. Yet while the NOP lists under "III. Relationship to Other Plans and Programs" within the Specific Plan area—a Metro-proposed light rail transit line and three other County-proposed developments—it says nothing about the Project for which a developer is already being sought.

Downey's proposed Specific Plan has real environmental implications. As the California Supreme Court noted when it encountered a similar situation in one of its earliest California Environmental Quality Act (CEQA) cases:

"This is not the case of a rancher who feels that his cattle would chew their cuds more contentedly in an incorporated pasture. No one makes any bones about the fact that the impetus for the Bell Ranch annexation is Kaiser's desire to subdivide 677 acres of agricultural land, a project apparently destined to go nowhere in the near future as long as the ranch remains under county jurisdiction."

(*Bozung v. LAFCO* (1975) 13 Cal.3d 263, 281.) Likewise here, by including the Site within the Specific Plan's boundaries, it is clear that one of the Specific Plan's intended purposes is to change the Site's general plan land use designation and zoning in order to facilitate the development of the Project at that location. It is unclear as to the reason the NOP did not acknowledge this purpose.

It appears from the NOP that there is "project-splitting" and "piecemealing" of the various Downey and County aspects of the Project for CEQA review. This is particularly concerning since the County and Downey are actively cooperating on the Project as recounted in Mayor Bernal's letter.

There are several problems with this. First, CEQA defines a "project" as "the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment" and includes all phases of a project that are reasonably foreseeable. (See CEQA Guidelines § 15378(c) ["The term 'project' refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term 'project' does not mean each separate governmental approval."].) Thus, by splitting "the whole of the action," *i.e.*, the Project they are working cooperatively to develop at the Site, between them for CEQA review, the County and Downey are violating CEQA.

Second, Project-splitting is seen in the Project's Request for Proposals (RFP) which stated [p. 7] that "[t]he County can only enter into an agreement for development of the property after all appropriate entitlements and environmental clearances have been completed." Ostensibly, the County will commence a CEQA process for the Project once Downey has completed its CEQA process for the Specific Plan that changes the Site's general plan land use designation and zoning. This Project-splitting runs counter to CEQA: "Legislature has found and declared that it is state policy that: (a) Local agencies integrate the requirements of [CEQA] with planning and environmental review procedures otherwise required by law or by local practice so that all those procedures, to the maximum feasible extent, run concurrently, rather than consecutively." (CEQA § 21005(a).)

A third problem with the NOP not mentioning the Project is that the public still does not know whether the County or Downey will be the lead agency for it. For example, the NOP [pp. 2-3] identifies three County projects and notes that "[t]he County is preparing an Environmental Impact Report (EIR) pursuant to CEQA" for them. This lack of clarity is compounded by the draft Exclusive Negotiating Agreement attached to the RFP stating [p. 2] that the County "or other agency" may serve as the lead agency for the Project. As the first public agency taking action on the Project by amending the Site's general plan land use designation and zoning to facilitate the Project's development, it appears Downey should be the "lead agency" for the Project under CEQA. (See CEQA Guidelines § 15051(c).) At the same time, with the County perhaps having "the greatest responsibility for supervising or approving the project as a whole," it may be more appropriate for the County claim the lead agency role. (See CEQA Guidelines § 15051(b).) In any event, what with development of the Project at the Site being as controversial as it is, the public has a right to know now whether the County or Downey will assume the lead agency role.

Moreover, only one of them should be preparing an EIR for it. Public agencies undertaking project review under CEQA “**should** reduce delay and paperwork by ... Consulting with state and local Responsible Agencies *before and during preparation of an Environmental Impact Report so that the document will meet the needs of all the agencies which will use it.*” (CEQA Guidelines § 15006(g); italics and emphasis added.)<sup>1</sup> Note that this provision calls for the preparation of *a single* EIR. The point here is that the County and Downey need to decide and announce which of them is going to be the lead agency for the Project, and whichever one of them assumes the lead agency role needs to produce *a single* EIR that conducts a full environmental review of the “whole of the action” that constitutes the Project.

It should also be noted that the South Gate Public Works Department is concerned about the potential impact of the proposed development project on the City’s roadway network. Of particular concern is the proposal to extend Flores Street, which appears to be a residential local street, westerly to connect with Garfield Avenue. With over 650,000 SF of development planned, the City is concerned with the potential impact that this improvement and vehicle trips will have on Garfield Avenue and the Hollydale community. We are further concerned that the new roadway extension appears to be in the City of South Gate yet that roadway is not consistent with the South Gate General Plan’s Circulation Element. The City is requesting a detailed traffic impact analysis and a review of consistency with the General Plan’s Circulation Element and Bike Transportation Plan. The analysis needs to consider the entire roadway network in South Gate that could be impacted. Further, a traffic study needs to be provided that analyzes, among other impacts, the impact of the development to the I710 Freeway interchange at Imperial Highway.

In summary, the CEQA process for the Project has started off deeply flawed and the NOP is deficient for failing to mention that the Project is an already green-lighted component of the proposed Specific Plan. Therefore, at a minimum, Downey needs to withdraw the NOP, revise it to include the Project, and post the revised version for 30-day review.

In the interim, City of South Gate staff look forward to initiating a consultation process with your staff regarding the Project and the PEIR for the Specific Plan. Public agencies undertaking project review under CEQA are directed to “reduce delay and paperwork by ... [e]mphasizing consultation before an Environmental Impact Report is prepared, rather than submitting adversary comments on a completed document,” and it is for this reason that we desire to meet face-to-face. (CEQA Guidelines § 15006(j).) The consultation process is critical here because it is “helpful to agencies in identifying the range of ... alternatives ... to be analyzed in depth in an EIR.” (*Id.*; see also *Laurel Heights Improvement Assn. v. Regents of Univ. of Calif.* (1988) 47

---

<sup>1</sup> “Should” identifies guidance provided by the Secretary for Resources based on policy considerations contained in CEQA, in the legislative history of the statute, or in federal court decisions which California courts can be expected to follow. Public agencies are advised to follow this guidance in the absence of compelling, countervailing considerations. (CEQA Guidelines § 15005(b).)

Cal.3d 376, 400 [“One of [an EIR’s] major functions ... is to ensure that *all reasonable alternatives* to proposed projects are thoroughly assessed by the responsible official’.”].)

My staff and I look forward to meeting with you and your staff to start this process.

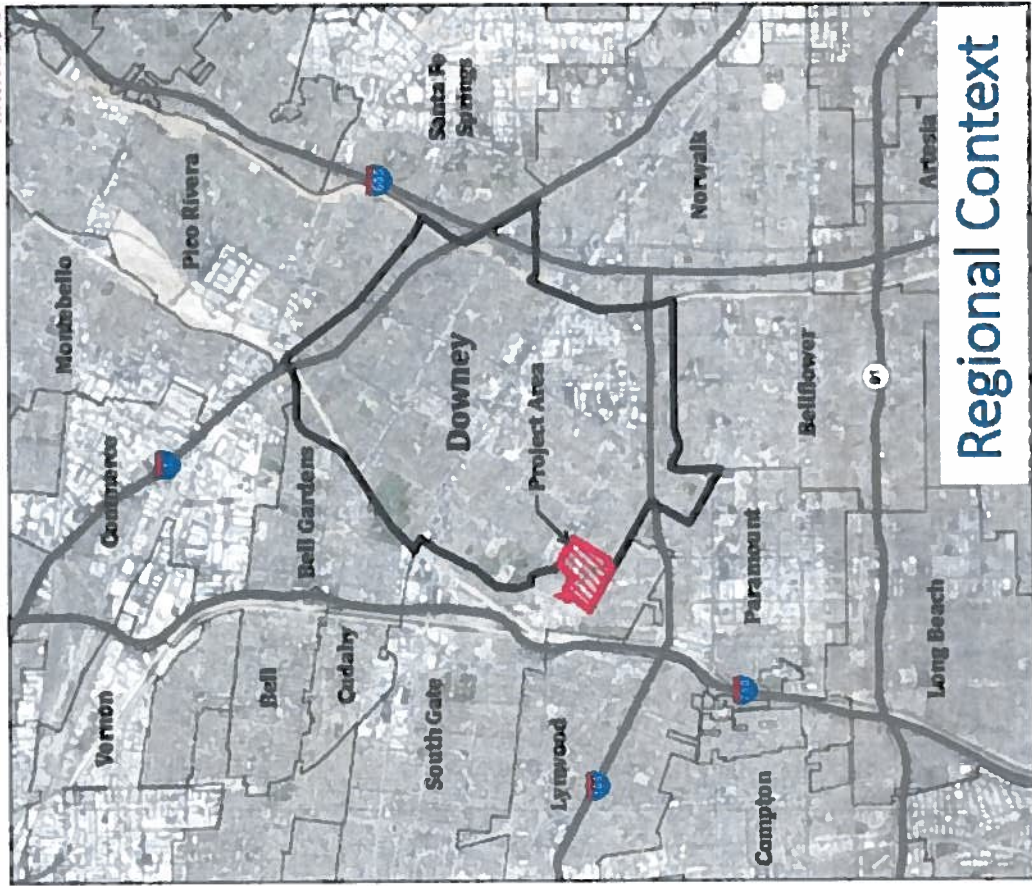
Sincerely,

Joe Perez  
Community Development Director

cc: Honorable Supervisor Hilda Solis, First District  
Honorable Supervisor Janice Hahn, Fourth District  
Mayor Sean Ashton, City of Downey  
City Manager Gilbert Livas, City of Downey  
Assistant Director Lynn Katano, LA County CDC

DRAFT

# Specific Plan Area



Regional Context



Local Context

# Attachment C



RECEIVED

MAR 5 2019

Item No. 12

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

8:30am

*City of South Gate*  
CITY COUNCIL

AGENDA BILL

For the Regular Meeting of: March 12, 2019  
Originating Department: Office of the City Clerk

City Clerk:

  
Carmela Avalos

City Manager:

  
Michael Flad

---

**SUBJECT:** APPROVAL OF CITY COUNCIL MEETING MINUTES.

**PURPOSE:** To historically preserve the events of the City Council Meetings.

**RECOMMENDED ACTION:** Approving the Special and Regular Meeting minutes of February 12, 2019.

**FISCAL IMPACT:** None.

**ANALYSIS:** The minutes are provided to the City Council on the Wednesday prior to their regular business meeting. Amendments should be provided to the City Clerk's Office within 24 hours of a City Council Meeting so that verification of the record and corrections are made accordingly. A revised document will be provided to the City Council prior to the Meeting.

**BACKGROUND:** The minutes typically describe the events of the meeting and may include a list of attendees, a statement of the issues considered by the participants, and related responses or decisions for the issues.

**ATTACHMENT(S):** Minutes

**CITY OF SOUTH GATE  
SPECIAL CITY COUNCIL MEETING  
MINUTES  
TUESDAY, FEBRUARY 12, 2019**

**CALL TO ORDER** Mayor María Belén Bernal called a Special City Council meeting to order at 5:46 p.m.

**ROLL CALL** Carmen Avalos, City Clerk

**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

**ABSENT** City Treasurer Greg Martinez

**CLOSED SESSION** The Council Members recessed into Closed Session at 5:47 p.m. and reconvened at 6:45 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), 54954.9(b)(3)(C)

a. U.S. ex rel. Hood v. LexisNexis Risk Solutions, Inc.

For Item 1a the City Council received a report by the City Attorney with respect to the litigation and subsequent to that report on a motion made by Council Member Davila and seconded by Mayor Bernal the City Council unanimously voted not to participate in this litigation.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(c)

One (1) - Potential Case

Item 2 was tabled and not discussed in closed session.

3. CONSIDER THE EVALUATION/RETIREMENT OF A PUBLIC EMPLOYEE

Pursuant to Government Code Section 54957 and 54957.6

a. Police Officers (2).

**SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019**

For Item 3 there was a discussion in closed session in regards to the retirement of 2 police officers. A report was presented by staff and outside counsel. It involved a settlement and on a motion made by the Mayor Bernal and seconded by Council Member Davila the City Council unanimously approved a settlement offer in order to resolve certain pending claims. The exact amount of the settlement is still subject to finalization and will be disclosed in connection with the Brown Act Requirements.

**4. CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6

Agency Representation: Michael Flad, City Manager

Unrepresented Employees: Top Management/Department Directors  
Hourly Employees

Employee Organizations: SGPMMA, SGMEA, SGPOA,  
SGPMA

For Item 4 there was a discussion and the City Council received a report but there was no vote taken in Closed Session.

**ADJOURNMENT**

Council Member Davila unanimously motioned to adjourn the meeting at 6:47 p.m. and seconded by Council Member Rios.

**PASSED and APPROVED** this 12<sup>th</sup> day of March, 2019.

ATTEST:

\_\_\_\_\_  
María Belén Bernal, Mayor

\_\_\_\_\_  
Carmen Avalos, City Clerk

**CITY OF SOUTH GATE  
REGULAR CITY COUNCIL MEETING  
MINUTES  
TUESDAY, FEBRUARY 12, 2019**

**CALL TO ORDER** Mayor María Belén Bernal called a Regular City Council meeting to order at 6:46 p.m.

**INVOCATION** Pastor Ernesto Trejo, South Gate Church of Christ

**PLEDGE OF ALLEGIANCE** Azucena Maldonado, Latina Golfers Association

**ROLL CALL** Carmen Avalos, City Clerk

**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 Greg Martinez arrived at 7:20 p.m.

**1 PRESENTATIONS** The City Council presented Certificates of Appreciation to Thrivent Financial, the Latina Golfers Association, and the Help Youth Through Golf organization, for their contributions and assistance with golf programs in the City.

**2 PRESENTATIONS** The City Council presented Certificates of Appreciation to students from South Gate High School, Legacy High School Complex, and South East High School for qualifying for the Los Angeles Unified School District All City Honor Marching Band and marching in the 2019 Rose Parade.

**3 PRESENTATIONS** The City Council presented Certificates of Appreciation to Anadite, Inc., Astro Aluminum Treating Co., Brenntag Pacific, Inc., CJ Foods Manufacturing Corp., Cooper Drum Cooperating Parties Group, and Johns Manville for being in full compliance with the Sanitation Districts of Los Angeles County industrial waste requirements in 2017.

**4 TWEEDY BLVD** The City Council conducted a Public Hearing and approved Item 4a and 4b including Alternative C by motion of Mayor Bernal and seconded by Council Member Rios.

- a. The Planning Commission's proposed changes pertaining to Library/Gallery/Museum, Alcohol Sales as Part of a Restaurant, and Antenna/Communications Equipment and provide staff with direction as to which, if any, of the modifications should be made to the final Tweedy Boulevard Specific Plan document;

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

4

TWEEDY BLVD CONT'D

- b. Waived the reading in full and introduced Ordinance No. 2359 entitled – Ordinance of the City Council of the City of South Gate, California, adding new Section 11.28.030 (Tweedy Boulevard Specific Plan), to Chapter 11.28 (Specific Plans), of Title 11 (Zoning), of the South Gate Municipal Code;
- c. Adopting a Resolution approving General Plan Amendment No. 2019-01 by adding place types “Light Industrial/Flex and Manufacturing Distribution” to the Tweedy Educational District and changing the residential General Plan designation of a portion of the General Plan area from Neighborhood-Low to Neighborhood Medium; and
- d. Adopting a Resolution approving the Initial Study and Negative Declaration, dated April 19, 2017, pertaining to the Tweedy Boulevard Specific Plan.

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

Council Member Maria Davila and Council Member Denise Diaz excused themselves from this item due to a possible conflict of interest.

Mike Flad, City Manager gave a brief introduction of this item.

Joe Perez, Director of Community Development gave a brief report on this item and introduced Philip Burns of the Arroyo Group.

Philip Burns of the Arroyo Group provided a presentation on this item.

Mayor Bernal opened the Public Hearing for comments at 7:24 p.m.

Nick Godoy, 8611 San Gabriel Avenue questioned the use of the word “most” in the presentation. If it isn’t going to affect the residents of the area why is the word “most” used? He is also concerned with the parking in the area when new developments start to come in.

Greg Martinez, 2603 Ohio Avenue spoke on behalf of Tweedy Mile stating that they took a vote and would like to see the lowest density for the area to protect retail parking. He stated that the slide show is flawed because it does not include the new development on Garfield Avenue with no businesses. The slide show depicts the successes of other areas but does not include the failures of our own City.

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

4

**TWEEDY BLVD CONT'D** Jovanna Laborin, 3152 ½ Sequoia Drive has concerns with parking if new two or three story buildings are developed.

Gail Minten, 4582 Tweedy Boulevard is concerned that there are going to be changes to the residential area of Tweedy Boulevard. She has concerns about parking, sewers and streets and feels we need to fix the problems we have before we start beautifying.

Bash Chaudhry, 3433 Tweedy Boulevard (owner of Freddy's Market) is also concerned with the parking on Tweedy Boulevard and suggested that maybe put a 20 minute zone on Tweedy Boulevard. Maybe instead of using the street for a bike path look at using the alleys for bike paths instead. He also believes that adding parking structures behind Tweedy Boulevard would be a bad idea and increase crime in the area.

Mayor Bernal closed the audience portion of the Public Hearing at 8:34 p.m.

Mayor Bernal read the summary of the staff report to the audience. To be clear the City Council is not approving a project at this time, we are not even in talks with anyone. These are smaller private projects, businesses and landlords that town their properties. As we reviewed our process it goes back on the Community Development to review these projects and if density needs to be increased it comes back before Council.

Mayor Bernal asked how this plan compares to the businesses on Garfield Avenue and Firestone Boulevard.

Mr. Perez responded that any restaurant that wants alcohol would still need a conditional use permit. There is no mention of distances from residential.

Vice Mayor Morales said that as he was listening to the presentation or any presentation he tries to put himself in the shoes of the audience and anticipate what it they are seeing and thinking. For me, I heard City Council is proposing to increase the density to the Tweedy Mile to bring in more business and are going to mess everything up since parking is already a problem and the streets are bad. He asked if we could take a step back and ask why we are doing this.

Mr. Perez stated that basically we are looking at the Tweedy area and recognizing that this area is struggling right now. It is struggling from an economic stand point, vacancies along the boulevard, and some less desirable types of businesses that have been there in the past. So the

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

4

TWEEDY BLVD CONT'D

direction was for staff to come back to the Council and present a plan that would actually infuse life into the properties along there. This would provide greater walkability from a pedestrians stand point, an esthetics stand point and the types of businesses that would be attracted to the boulevard would be higher quality. Also providing greater choices among those that shopped in the area. If you look at those areas, beautifying the boulevard, bringing in better shops and really just enhancing the quality of life along there was really the charge. What you have before you, the General Plan, is a strategy or a vision to accomplish all of this. It is going to require some kind of change from a land use perspective to entice development in the area. We no longer have the tools of redevelopment at our disposal from local jurisdictions therefore we have to rely on things like grants which are very limited or we have to incentivize from an economic standpoint the current land owners or potential developers that want to come in and acquire property to build development that will accomplish all of those things that were mentioned. Will there be more traffic? Yes, with any new development there will be an increase in traffic. The parking that is listed in the plan would require any new developments to include onsite parking. The plan also envisions a future parking management plan to take a higher level view at all the parking and this would be in tandem with current city wide parking study that is being done so we are being consistent with policy and how we deal with parking.

Mr. Flad stated that this is just a strategic planning document and a zoning document. The City does not own those properties along Tweedy Boulevard and the City is not going to enter into those properties as developers. The property that is at the corner of Tweedy and California is an example of a redevelopment project and now redevelopment has gone away. That is where the City was part of a development and those days are over. This is an attempt to plan and make it one cohesive corridor.

Vice Mayor Morales feels that we are not addressing the fact that there are certain requirements that the state makes us do. He believes that what is happening here is part of the State mandate that says that you have to build housing, because why else would anyone up here say we are going to build all these mixed use developments. This is part of a greater plan that shows that we are mandated to do certain things. He is very supportive of the bike lanes but many people do not like it. They want more lanes for traffic, but the purpose of the bike lane is to get more people out of their cars. We are trying to build for the future and there is a lot of rail coming to our communities and we are trying to find ways for people to get that. Vice Mayor Morales works a lot with Sacramento and the Governor right now is suing Cities because they are saying they do not want to build density in our City and we are going to cap it. This is our way of saying to

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

4.

TWEEDY BLVD CONT'D

the State you can build housing where ever you want just not in our own backyard. He doesn't like this but feels it is something that has to be done.

Mayor Bernal wants to be transparent with the community. The City that Sacramento is suing is Huntington Beach or Newport Beach, where they are doing nothing. However, here in South Gate we are doing a lot. We just approved a project on Tweedy and Atlantic and we approved project on Calden. She wanted the community to know that the state is not just randomly selecting Cities to sue.

Mayor Bernal asked how many units are included with Alternative B and C.

Mr. Burns answered the key point is to distinguish what is the theoretical maximum something that we would actually expect to happen. The midrange (Alternative A) is from 600-900 units, if you then look at Alternative B there would be a slight decrease from the 600-900 units and Alternative C would downsize again which would decrease significantly.

Mayor Bernal asked about the City owned parking lots on Tweedy Boulevard and the process for selling this.

Mr. Perez said that this is not a part of plan as we feel that these are a valuable asset to the City. There is discussion on better utilizing these lots, but any sale of City property would come to the City Council first.

Mayor Bernal asked what are we prepared to do for new tenant recruitments.

Mr. Perez answered what is envisioned for Tweedy in regards to new tenants is when you have more opportunity for housing along the boulevard you have more opportunity for potential customers with expendable income that can support existing businesses and future businesses.

Council Member Rios noted that Tweedy has been struggling adding that the plan will provide an opportunity to go forward with new ideas and projects.

Mayor Bernal discussed Alternative C and the impact on Tweedy Boulevard.

Council Member Rios stated that he understands that the Planning Commission has reviewed this and asked what their recommendation was.



## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

4

TWEEDY BLVD CONT'D

Mr. Perez answered that the recommendation is adoption of the zoning that was approved in the plan presented tonight. The staff is comfortable with the densities that were approved in the plan. The three alternatives that are brought forward tonight are a result of comments from the City Council and did not go before the Planning Commission.

Vice Mayor Morales stated that he understands the appeal of Alternative C but is concerned that this is just going along with what is said in Sacramento that at the moment if we get a little community pressure we will not build.

Mr. Flad stated that staff starts here with the consultants and what would encourage development and revitalization. We have public meetings and the plan gets scaled back. Then it goes to the Planning Board and again is scaled back. Then it goes to Council and their goal is to revitalize but not at the expense of the community. I want to make it clear to everyone that it keeps getting whittled away and now we are at the point where Council Member Morales worries that are we really doing our jobs and are we in good faith in complying with state law, which states are we in good faith increasing density. From staff's perspective we are comfortable with all three of these recommendations including C is because we know there are other specific plans that are coming and we know there are other areas where having worked with City Council and have had other public meetings that will increase density higher than these might be in this area.

Vice Mayor Morales asked if we have met our RHNA numbers.

Mr. Perez stated the no, we have not met our RHNA numbers. Our RHNA numbers are over 1,200 units and they are broken out into various categories of income limits though the City is still moving towards that 1,200 units.

Mr. Flad added that in regards to RHNA the number is generated and we are told to increase capacity. So by zoning we need to create that increase. What's trending right now in Sacramento is that cities have zoned the increase but when the projects come forward the Council is saying no and now Sacramento is saying it's not ok to just zone it, we need to see results.

Council Member Rios seconded Mayor Bernal's motion to approve Items 4a and 4b including Alternative C.

5

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

### POLICE ADMIN

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

- a. Accepting the Fiscal Year 2018/19 Bulletproof Vest Partnership Grant Funds, in the amount of \$3,964.50, from the U.S. Department of Justice, Office of Justice Programs, for the purchase of bulletproof vests for sworn personnel; and
- b. Increasing the Fiscal Year 2018/19 General Fund revenue projection in account number 100-4699 (General Fund - Other Intergovernmental Grants) by \$3,964.50, from \$0.00 to \$3,964.50.

Randy Davis, Chief of Police gave a brief presentation on this item.

Mayor Bernal opened the Public Hearing seeing no one come forward she closed the Public Hearing.

Vice Mayor Morales asked what happens to the expired vests.

Chief Davis answered that we have kept some of the vests but we have provided some to our sister city in Mexico. They do not have the same standards that we have to follow. After five years the vests still work, but we have to follow the guidelines on these per the State of California mandates. The police departments in Mexico do not have to follow these same standards and these vests will not work any less. We also repurpose these for other areas of the country. For example several years ago when Katrina hit we sent a number of pieces of equipment including uniforms, police cars and vests back to cities that had undergone tragic events.

### COMMENTS FROM THE AUDIENCE

Nick Godoy, 8611 San Gabriel Avenue spoke on parking issues near San Gabriel Elementary School.

Mr. Campos, 8467 San Vincente Avenue spoke on neighbors that are running a business from his residence.

Juliano Jarquin, 10606 McNerney Avenue spoke on lymphedema a disease that his partner suffers from asked the City Council to consider recognizing World Lymphedema Day on March 6<sup>th</sup>.

Virginia Johnson, 5751 McKinley Avenue stated that her son suffers from Lymphedema. She also spoke on a recent article in the Los Angeles Times regarding increases in businesses and housing laws.

### COMMENTS FROM

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

**THE AUDIENCE CONT'D** Gail Minten, 5582 Tweedy Boulevard asked if there were plans to put islands on Tweedy Boulevard.

Julie Hernandez Chan, 12000 Garfield Avenue introduced herself as the new library manager for the Hollydale Library.

### REPORTS AND COMMENTS

#### FROM CITY OFFICIALS

Art Cervantes, Assistant City Manager/Public Works Director stated that the City has received a 4.6 million dollar grant to improve Tweedy Boulevard. We are looking to enhance a more pedestrian friendly environment. At this time, we are not proposing to put median islands on Tweedy Boulevard.

Joe Perez, Director of Community Development stated that last week the Board of Supervisors approved the agreement for the City's contribution to the significant improvements that are going to take place at the Hollydale Library.

Paul Adams, Director of Parks and Recreation announced that the spring Vista is out.

Carmen Avalos, City Clerk spoke on the Cerritos Complete program providing 2 years of tuition for students.

Council Member Diaz reported she attended WELL (Water Education for Latino Leaders) with Mayor Bernal.

Council Member Rios reported he attended the Santa Ana Branch meeting with Director Perez. On February 28<sup>th</sup> he invited everyone to the Regional Census Roundtable discussion from 8:00 a.m. to 12:00 noon at South Gate Park. There will be a meeting with Metro at South Lake Park that will be discussing improving transportation and bus routes. He thanked Jackie Acosta, Administrative Services Director for her work on the Budget Subcommittee Meetings.

Council Member Davila attended the Council of Governments meeting and the numbers for the homeless count will be released in May. She also had a presentation on a half cent tax for four counties in California that would be on the next election. She also discussed a grant through METRO for cities to enhance bike traffic.

Council Member Davila stated that when issues happen in the community we do support different organizations. She supports Los Angeles Unified School Districts. She has heard many concerns over Valiente Charter School having classrooms at South East High School. The school district approved this action and as councilmembers we can send letters but the

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

### REPORTS AND COMMENTS FROM CITY OFFICIALS

CONT'D

district makes the final decisions. We often talk about the accomplishments of the City and yet we cannot make every resident happy. As a council we direct staff and staff does their jobs. We have over 24 schools and most of those schools come out at the same time. We help the schools alleviate parking problems, especially after school. This also needs to be addressed with the parents, but we can only do our part.

Vice Mayor Morales attended a policy maker round table related to the MTA and public transportation. He also presented on a Webinar last week for the members of the League of California Cities about how to be an energy hero in your community. Last Tuesday he attended the Board of Supervisors meeting wherein he took up an item to stop significant increase in animal care and control costs. He commended Raul Salinas, City Attorney and his family for being great representatives of the City. Vice Mayor Morales requested that the next meeting be adjourned in memory of his friend Sonia Lopez's brother.

Mayor Bernal attended the L.A County Sanitation District Meeting where they approved a large contract to have the construction of a seven mile tunnel that will be critical infrastructure for the district. It will eventually replace two existing tunnels are no longer meeting earthquake standards. She also attended the homeless count meeting and also attended the 3<sup>rd</sup> annual Homeless Initiative Conference held by Los Angeles County. Overall they are reporting a 4% decrease in homelessness versus three years ago when this conference officially started. However there remains 53,000 individuals that are homeless in Los Angeles County. She attended the employee recognition dinner and then drove to Santa Barbara for the Independent Cities Association Winter Seminar. There main focus was on Public Safety.

### CONSENT CALENDAR

Agenda Items 9, 11, and 12 were unanimously approved by motion of Mayor Bernal and seconded by Council Member Davila. Items 6 and 7 were removed by staff to be discussed at a future meeting. Items 8 and 10 were pulled for discussion.

6

MOU

The City Council considered:

- a. Approving the Side Letter of Agreement with the South Gate Municipal Employees Association regarding probationary periods for civilian employees in the Police Department; and
- b. Authorizing the Mayor to execute the Side Letter of Agreement in a form acceptable to the City Attorney.

**REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019**

6

**MOU CONT'D**

This item was removed from the agenda to be discussed at a future City Council Meeting.

7

**MOU**

The City Council considered:

- a. Approving the Side Letter of Agreement with the South Gate Professional and Mid-Management Association regarding probationary periods for civilian employees in the Police Department; and
- b. Authorizing the Mayor to execute the Side Letter of Agreement in a form acceptable to the City Attorney.

This item was removed from the agenda to be discussed at a future City Council Meeting.

8

**PARKS FACILITES**

The City Council considered:

- a. Approving Amendment No. 2 to Contract No. 2701 with Harbor Area Farmers Markets to operate the Farmers Market at South Gate Park for an additional five year term;
- b. Authorizing the Mayor to execute Amendment No. 2 in a form acceptable to the City Attorney; and
- c. Authorizing the Director of Parks & Recreation to execute any additional documents as may be required to properly implement and manage the Farmers Market.

This item was unanimously continued to a future City Council meeting to consider different options for dates and times by motion of Mayor Bernal and seconded by Council Member Davila.

9

**TRANSPORTATION**

The City Council unanimously approved Items A and B during consent calendar.

- a. Approved the Subrecipient Agreement with the Gateway Cities Council of Governments for reimbursement from the Los Angeles County Metropolitan Transportation Authority of up to \$28,000 for the City's expenses incurred from participating in the West Santa Ana Branch Transit Corridor Environmental Clearance Process; and

## REGULAR CITY COUNCIL MEETING MINUTES OF FEBRUARY 12, 2019

9

### TRANSPORTATION CONT'D

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

10

### QUARTERLY REPORT

The City Council unanimously received and filed the Quarterly Investment Report for the quarter ended September 30, 2018 by motion of Mayor Bernal and seconded by Council Member Davila.

11

### QUARTERLY REPORT

The City Council unanimously received and filed the Quarterly Investment Report for the quarter ended December 31, 2018 during consent calendar.

12

### MINUTES

The City Council unanimously approved the Regular Meeting minutes and Special Meeting minutes of January 22, 2019 during consent calendar.

13

### SKY LIGHT REPLACEMENT

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

- a. Amended the Capital Improvement Program (CIP) to add the South Gate Sports Center Skylights Replacement Project (Project);
- b. Authorized the Director of Administrative Services to transfer \$450,000 in General Funds savings from the South Gate Sports Center Roof Replacement, City Project No. 498-ARC, Account No. 311-790-61-9459, to the South Gate Sports Center Sky Light Replacement, City Project No. 586-ARC, Account No. 311-790-61-9460; and
- c. Authorized the Director of Administrative Services to transfer the remaining balance of \$443,395 in General Fund savings from the South Gate Sports Center Roof Replacement Project, City Project No. 498-ARC, Account No. 311-790-61-9459 to the unallocated General Fund balance.

**REGULAR CITY COUNCIL MEETING MINUTES OF FEBUARY 12, 2019**

14

**SEABORG HOUSE**

The City Council authorized the expenditure of \$10.700 for the City Hall Open House and Historic Seaborg House Ribbon Cutting Event by motion of Mayor Bernal and seconded by Council Member Davila. Council Member Rios voted no.

15

**WARRANTS**

The City Council unanimously approved the Warrants and Cancellations for February 12, 2019 by motion of Council Auditor Davila and seconded by Mayor Bernal.

Total of Checks:	\$3,040,127.99
Voids:	(\$ 52,726.94)
Total Payroll Deductions:	<u>\$ 441,787.50</u>
Grand Total:	\$2,545,613.55

Cancellations: 79719, 81028, 81045, 81218 and Various Stale Dated Checks as Listed in the Staff Report.

**ADJOURNMENT**

Mayor Bernal adjourned the meeting in memory of Everett Ipo Whitney, resident/veteran of the City of South Gate and uncle of James Manuel, CAC Member at 10:05 p.m. and seconded by Council Member Davila.

**PASSED** and **APPROVED** this 12<sup>th</sup> day of March, 2019.

ATTEST:

---

María Belén Bernal, Mayor

---

Carmen Avalos, City Clerk

**RECEIVED**

MAR 6 2019

# City of South Gate Item No. 13

CITY COUNCIL

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

## AGENDA BILL

5:25pm

For the Regular Meeting of: March 12, 2019

Originating Department: Public Works

Department Director:

*Arturo Cervantes*  
Arturo Cervantes

City Manager:

*Michael Flad*  
Michael Flad

### SUBJECT: FUNDING APPROPRIATIONS FOR THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2018/19

**PURPOSE:** The Capital Improvement Program (CIP) reflects over \$100 million in projects aimed at improving the City's infrastructure. Staff is recommending City Council approval of several appropriations to meet project implementation needs and transportation funding requirements.

#### RECOMMENDED ACTIONS:

- a. Appropriate \$133,000 in General Funds to the Capital Improvement Program to fully fund the City Hall Complex Improvements and Firestone Boulevard Median Island;
- b. Appropriate \$1,779,200 in grant funds and \$4,901,284 in other funds to the Capital Improvement Program for existing projects as shown in Attachment A; and
- c. Direct the Director of Administrative Services to transfer \$31,709 from Auto/Rolling Stock Account No. 223-610-49-9003 to the Electric Vehicle Charging Stations Project No. 636-GEN Account No. 223-610-49-9005.

*GA/MS* **FISCAL IMPACT:** A \$6,781,775 appropriation and \$31,709 transfer are proposed to be funded as shown below. Exhibit A shows a summary by project. A total of \$33,000 in Development Fees and \$31,709 in Air Quality Management District funds are proposed to be transferred to CIP accounts.

Fund	Fund	Appropriation	Justification	Improvements Types
100	General Fund	\$100,000	Fund construction phase	City Hall Remodel (Floor Tile and ADA Railings)
		*\$33,000	Fund construction phase	Roadway improvements for Firestone Blvd
213	TDA Bikeway	\$195,646	Prevent lapsing of funds	Street Furniture on Firestone Blvd
225	Measure M	\$700,000	Fund design phase	Roadway Improvements for Garfield Blvd
		\$70,000	Fund construction phase	Traffic Signal Modifications on Paramount/Somerset
		\$60,000	Matching Grant funds	Installation of Electric Vehicle Charging Stations
224	Measure R	\$173,929	Prevent lapsing of funds	Roadway and Traffic Signal Improvements for Firestone/Hildreth
		\$800,000	Fund design phase	Roadway Improvements for Long Beach Blvd
		\$240,000	Address a grant cash flow	Pedestrian Safety Improvements at South Gate Middle School
222	Proposition C	\$1,400,000	Fund construction phase	Roadway Improvements for Imperial & Garfield Blvd
		\$810,000	Fund construction phase	Raised Medians improvements for Imperial Highway
261	Federal/State Grants	\$1,779,200	New Grant funds	Roadway Greening Improvements for Long Beach Blvd
411	Water	\$400,000	Fund construction phase	Water Improvements on Chakemco St.
		\$20,000	Fund construction phase	Raised Medians and roadway improvements for Firestone Blvd
223	AQMD	\$31,709	Fund construction phase	Installation of Electric Vehicle Charging Stations
<b>GRAND TOTAL</b>		<b>\$6,813,484</b>		

\*This \$33,000 amount was collected from a developer to fund roadway improvements on Firestone Boulevard.



**ALIGNMENT WITH COUNCIL GOALS:** These actions meet the City Council's goal for Continuing Infrastructure Improvements. Milestones for Several of these projects are identified in the City Council's Fiscal Year 2018/2019 Work Program.

**ANALYSIS:** The Capital Improvements Program (CIP) contains over 50 projects that are at various stages of implementation. The projects are funded with a variety of funding sources. The appropriations are necessary to address project implementation needs, as well as transportation funding requirements. A total of \$33,000 in developer funds is proposed to be programmed to the Firestone Boulevard Corridor Capacity Enhancement Project No. 476-TRF. These funds were collected from the development located at 2742 Firestone Boulevard to fund a fair share of the project. Also, \$31,709 in Air Quality Management District funds is recommended to be programmed for the Electric Vehicle Charging Stations. These funds are savings achieved after the City received a grant for their original purpose (purchase vehicles).

**BACKGROUND:** The CIP Program intends to create a safer and more sustainable future by funding and improving public infrastructure projects. The CIP Program funds projects that will achieve a variety of goals, such as: enhancing transportation mobility, congestion relief, safety, deferred maintenance, water quality, quality of life, sustainability and beautification. The current CIP Program provides funding for a variety of project categories listed below. The appropriations requested herein are needed to further fund the projects.

- Funding is available for major improvements to the City's primary corridors including Firestone Boulevard, Long Beach Boulevard, Imperial Highway, and Garfield Avenue. The projects programmed are geared to increase safety, reduce congestion, address deferred maintenance, and beautification, amongst other improvements.
- Funding is available to enhance safety through a series of transportation and lighting projects. Projects like the roadway projects mentioned above improve pedestrian and motorist safety. Student safety is also addressed through projects such as the Safe Routes to School Project that installs traffic signals and crosswalks near the South Gate Middle School. Traffic Calming and ATP (Active Transportation Program) improvements proposed on Long Beach Boulevard and Garfield Avenue enhance pedestrian and bicycle safety.
- The CIP Program offers improvements to the City's water system. The improvements enhance water reliability, quality and address issues of deferred maintenance.
- The CIP Program funds projects that reduce traffic delays. For example, new roadway traffic signals, additional left-turn capacity and new travel lanes will be constructed under some of the above mentioned CIP Projects.

The attachment contains a list of the specific projects and improvements.

**ATTACHMENT:** Proposed funding Appropriations for the CIP for FY 2018/19

AM:lc

Project No.	Project Title	FY 17-18 Carryover	General Fund 100	TDA 213	AQMD 223	Measure M 225	Measure R 224	Prop C 222	Fed/State Grants	Water 411	Account No.	Total
413-ST	Garfield/Imperial Street Improvements	\$1,992,424.45						\$1,400,000			311-790-31-9433	\$1,400,000
496-ST	Firestone/Otis Widening & Imperial Hwy Median	\$735,387.43						\$810,000			311-790-31-9457	\$810,000
481-TRF	Safe Route to School Cycle 10	\$155,445.65					\$240,000				311-790-39-9454	\$240,000
616-WTR	Chatemko Water Main Replacement	\$0								\$400,000	311-790-31-9572	\$400,000
567-ARC	City Hall Interior Remodelling	\$116,196.96	\$100,000								311-790-49-9906	\$100,000
610-TRF	Paramount at Somerset Intersection Improvements	\$0				\$70,000					311-790-31-9574	\$70,000
564-ST	Garfield Complete Street	\$2,506,467				\$700,000					311-790-31-9564	\$700,000
515-ST	Long Beach Green Street	\$4,176,406.86					\$800,000		\$1,779,200		311-790-31-9565	\$2,579,200
600-ST	Hildreth Avenue Traffic Mitigation	\$121,294.12					\$173,929				311-790-39-9472	\$173,929
476-TRF	Firestone Blvd Median Island Alameda/LA	\$ 14,741,081.83	\$33,000	\$195,646						\$20,000	311-790-31-9447	\$248,646
636-GEN	Electric Vehicle Charging Stations	\$0.00			\$31,709	\$60,000					223-610-49-9005	\$91,709
<b>TOTAL OF APPROPRIATIONS BY FUND</b>			<b>\$133,000</b>	<b>\$195,646</b>	<b>\$31,709</b>	<b>\$830,000</b>	<b>\$1,213,929</b>	<b>\$2,210,000</b>	<b>\$1,779,200</b>	<b>\$420,000</b>	<b>TOTAL APPROPRIATION</b>	<b>\$6,813,484</b>

Carryover Projects

**RECEIVED**  
**PART I**

**WARRANT REGISTER COUNCIL MEETING 03/12/2019**

apChkLst

03/05/2019 6:33:32PM

Final Check List

City of South Gate

Page: 1

MAR 6 2019

11:15am

**CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER**

Bank : botw BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81715	2/28/2019	00004865 SO CALIF EDISON Voucher:	214/2019	2/14/2019	BILLING PRD-JAN 2019/FEB	28,504.39	28,504.39
81716	3/12/2019	00003502 ABC BATTERY INC. Voucher:	100677 100661 100659	2/27/2019 2/20/2019 2/20/2019	VEHICLE BATTERY & SUPPLI 2- BATTERIES FOR UNITS 11 3- BATTERIES FOR UNITS 13	88.69 192.73 326.69	608.11
81717	3/12/2019	00003971 ADMINSURE INC. Voucher:	11802	2/15/2019	WORK COMP CLAIM ADMIN-I	9,224.00	9,224.00
81718	3/12/2019	0010970 ADVANTAGE Voucher:	131075	2/11/2019	PRINTING & MAILING OF QU	10,932.39	10,932.39
81719	3/12/2019	00004372 AIRGAS USA, LLC Voucher:	9085254947 9085503496 9084792882 9085056704 9084547725	2/6/2019 2/13/2019 1/23/2019 1/30/2019 1/15/2019	CARBON DIOXIDE FOR POOL CARBON DIOXIDE FOR POOL DISTRIBUTATION OF SPECIA CARBON DIOXIDE FOR POOL DISTRIBUTATION OF SPECIA	87.90 101.06 84.19 87.56 69.36	430.07
81720	3/12/2019	0011325 ALAN'S LAWN & GARDEN CEN848569 Voucher:	9084547725	1/22/2019	ALAN'S LAWN & GARDEN	157.24	157.24
81721	3/12/2019	00000185 ALL CITY MANAGEMENT SER'59567 Voucher:	59567	2/13/2019	SCHOOL CROSSING GUARD	16,752.00	16,752.00
81722	3/12/2019	0011577 ALL PHASE ELECTRIC SUPPL0946-450599 Voucher:	0946-454813 0946-454578	12/17/2018 2/25/2019	ALL PHASE ELECTRIC SUPPL INVENTORY PO/ BATTERIES	1,962.45 1,036.35	3,739.26
81723	3/12/2019	00000018 AMERICAN RENTAL INC. Voucher:	429167	2/19/2019	INVENTORY PO/ BATTERIES	740.46	194.88
81724	3/12/2019	00003529 AT&T Voucher:	248-134-3274-0	2/7/2019	BILLING PRD-02/07/19 - 03/06	38.68	38.68
81725	3/12/2019	00004313 AT&T Voucher:	9179126408	2/5/2019	BILLING PRD 01/05/19-02/04/1	3,758.62	3,758.62
81726	3/12/2019	00003692 AT&T MOBILITY Voucher:	875963643X021	2/16/2019	BILLING PRD- 01/09/19-02/08/	2,198.33	2,198.33
81727	3/12/2019	00000201 ATLANTIC LOCK & KEY Voucher:	16956	1/1/20/2018	BATTERY BACKUP AND TRAF	228.21	228.21
81728	3/12/2019	0010585 AUTOZONE STORES, INC. Voucher:	5488541105 548851120	2/12/2019 2/13/2019	AC COMPRESSOR KIT FOR L 16- SPARK PLUGS FOR UNIT	255.77 52.74	308.51

(Continued)

Bank : botw BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81729	3/12/2019	0011916 AVILA, JENNIFER	Ref000248012	2/19/2019	UB REFUND CST #00058757 -	99.99	99.99
		Voucher:					
81730	3/12/2019	0010615 BEARCOM	4782667	2/1/2019	FEB 2019 - PD: BEARCOM AN	2,569.59	2,569.59
		Voucher:					
81731	3/12/2019	0009876 BIGGS CARDOSA	75548	1/5/2019	DEC 2018- FIRESTONE BL RE	65,014.50	
		Voucher:	75325	12/5/2018	NOV 2018- FIRESTONE BL RE	98,200.56	163,215.06
81732	3/12/2019	0010588 BLACK & WHITE EMERG VEHI2905		2/12/2019	BICYCLE RACKS FOR PATRO	2,383.40	2,383.40
		Voucher:					
81733	3/12/2019	00001872 BLODGETT/BAYLOSIS ASSOC191794		2/22/2019	ENVIRONMENTAL SVRS - TW	1,300.00	1,300.00
		Voucher:					
81734	3/12/2019	0008396 BLUE DIAMOND MATERIALS 1407407		1/18/2019	ASPHALT FOR ST DIV	14.46	14.46
		Voucher:					
81735	3/12/2019	0006988 BOBCAT OF CERRITOS, INC. P10637		1/17/2019	BOBCAT REPAIRS	255.15	255.15
		Voucher:					
81736	3/12/2019	00000418 BRADLEYS PLASTIC BAG CO 333418		2/13/2019	JAIL SUPPLIES	10.73	10.73
		Voucher:					
81737	3/12/2019	00000651 BSN SPORTS, LLC 904357059		1/30/2019	ADULT SPORTS SUPPLIES	190.81	190.81
		Voucher:					
81738	3/12/2019	0005450 C & J LIFT TRUCKING INC T-5846		2/20/2019	FORK LIFT	15,435.00	15,435.00
		Voucher:					
81739	3/12/2019	00002063 CACEO 1190-RI		1/3/2019	RI CK# 81046 - RAQUEL LARIK	75.00	
		Voucher:	1188-RI	1/3/2019	RI CK# 81046 - CARMEN AVAL	50.00	125.00
81740	3/12/2019	0008001 CAHA 02/19/19 - RAMC		2/19/2019	BRENDA RAMOS - HOUSING	1,035.00	1,035.00
		Voucher:					
81741	3/12/2019	0009570 CALIFORNIA CIRCUIT BREAK103737		2/4/2019	BREAKER ADA DOOR SYSTEI	44.10	
		Voucher:	103760	2/19/2019	ARE/STREET LIGHT REPAIRS	132.30	
			103770	2/21/2019	AREA/STREET LIGHT REPAIR	648.27	
			103746	2/8/2019	LIGHTING REPAIRS	110.25	934.92
81742	3/12/2019	0009651 CALIFORNIA CRANE SCHOOL3371		12/17/2018	CALIFORNIA CRANE SCHOOL	3,885.00	3,885.00
		Voucher:					
81743	3/12/2019	00000780 CALTEX PLASTICS 244698		2/26/2019	INVENTORY PO/TRASH BAG	2,562.30	2,562.30
		Voucher:					
81744	3/12/2019	0011153 CANYON TIRE SALES, INC. 20047789		2/13/2019	2- TIRES FOR UNIT 288	587.75	587.75
		Voucher:					

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81745	3/12/2019	00000847 CARL WARREN & CO Voucher:	1867439	1/29/2019	CLAIM #19-01-40 - OCHOA, BI	750.00	
			1867440	1/29/2019	CLAIM #19-03-40 - MARINERC	375.00	
			1867367	1/29/2019	CLAIM #18-38-30 - SANTANA-I	1,000.00	2,125.00
81746	3/12/2019	0006239 CENTRAL FORD Voucher:	331489	2/11/2019	THERMOSTAT FOR UNIT 114	41.63	
			331527	2/11/2019	BELT TENSIONER FOR UNIT	194.72	
			331529	2/11/2019	BODY MODULE FOR UNIT 34	208.35	
			331494	2/11/2019	POWER STEERING HOSE FO	120.27	
			331482	2/11/2019	BRAKE MASTER CYLINDER F	252.46	
			C40951	2/13/2019	TWO PROGRAMMED KEYS-1	206.89	
			C40994	2/13/2019	PROGRAMMED PCM- UNIT 34	217.50	
			331517	2/11/2019	BRAKE REPAIR KIT FOR UNIT	32.44	
			331596	2/12/2019	SPEED SENSOR FOR UNIT 24	67.21	1,341.47
81747	3/12/2019	00005090 CITY OF PARAMOUNT Voucher:	0004043	2/1/2019	JULY-SEPT 2018 - SHARED M	224.82	224.82
81748	3/12/2019	0010904 CMR: BARRON, JOSHUA Voucher:	02/14/19	2/14/2019	02/14/19- PARKS COMMISSIO	75.00	75.00
81749	3/12/2019	00003341 CMR: CYPERT, JENNIFER Voucher:	02/14/19	2/14/2019	02/14/19- PARKS COMMISSIO	75.00	75.00
81750	3/12/2019	0008971 CMR: DELGADO, JOSE G. Voucher:	02/21/19	2/27/2019	02/21/19 - PLANNING COMMIS	125.00	125.00
81751	3/12/2019	0007188 CMR: HICKLIN, JIM Voucher:	02/14/19	2/14/2019	02/14/19- PARKS COMMISSIO	75.00	75.00
81752	3/12/2019	0010933 CMR: HURTADO, GIL Voucher:	02/21/19	2/27/2019	02/21/19 - PLANNING COMMIS	125.00	125.00
81753	3/12/2019	00001242 CMR: MASUSHIGE, SYLVIA Voucher:	02/21/19	2/27/2019	02/21/19 - PLANNING COMMIS	125.00	125.00
81754	3/12/2019	00001219 CMR: NIXON, NAOMI Voucher:	02/04/19	2/4/2019	02/14/19- PARKS COMMISSIO	75.00	75.00
81755	3/12/2019	0010131 CMR: PEREZ, JENNY Voucher:	02/21/19	2/27/2019	02/21/19 - PLANNING COMMIS	125.00	125.00
81756	3/12/2019	0010626 CMR: VELASQUEZ, CARLOS Voucher:	02/21/19	2/27/2019	02/21/19 - PLANNING COMMIS	125.00	125.00
81757	3/12/2019	00005110 COUNTY OF L.A. DEPT OF PWRE-PW-190211C Voucher:	RE-PW-190107C	2/11/2019	TS MAINT DDG - THROUGH J	436.56	
				1/7/2019	TS MAINT DDG - THROUGH L	470.76	907.32

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81758	3/12/2019	00002647 CUSTOMLINE INC. Voucher:	26416 26421	1/31/2019 2/13/2019	MATERILAS FOR MAIN YARD REPAIRS FOR GATE - SALT L	748.06 926.83	1,674.89
81759	3/12/2019	0008452 CXTEC Voucher:	6968831	2/20/2019	INVENTORY PO/ CISCO PHOI	762.92	762.92
81760	3/12/2019	00001423 DAILY JOURNAL CORPORATI Voucher:	(B3225686 B3218615 B3223732 B3223667 B3223780 B3220873 B3223781 B3223677 B3218631	2/28/2019 2/7/2019 2/21/2019 2/21/2019 2/21/2019 2/14/2019 2/21/2019 2/21/2019 2/7/2019	GARFIED STREET IMPROVEN CHDO QUALIFICATION GPN C ORDINANCE AMENDING SEC WALNUT AVE RESTROOM NC PARAMOUNT BLVD AT SOMEI ZONE TEXT AMENDMENT NO CIRCLE PARK DRIVEWAY PR CHAKEMCO ST WATER MAIN LONG BEACH BLVD GREEN S	424.20 239.40 117.60 495.60 525.00 243.60 554.40 571.20 462.00	3,633.00
81761	3/12/2019	0005392 DAVID VOLZ DESIGN Voucher:	421753 421736 421755	2/8/2019 1/14/2019 2/8/2019	SOUTH GATE & CESAR CHAV THRU 12/31/18 - DESIGN SER THRU 01/31/19 - DESIGN SER	4,891.25 15,593.25 71,797.75	92,282.25
81762	3/12/2019	0011920 EMP: ALCALA, ADRIAN Voucher:	03/04/19	3/5/2019	REIMB FOR AIRFARE - TYLEF	173.86	173.86
81763	3/12/2019	0011908 EMP: MARTINEZ, CHRISTIAN Voucher:	10/26/18 MARTI	10/26/2018	REIMB: CLASS B DRIVERS LI	76.00	76.00
81764	3/12/2019	0010017 ENTERPRISE FM TRUST Voucher:	FBN3650758 FBN3503071-4 FBN3650694 FBN3650563	2/5/2019 7/4/2018 2/5/2019 2/5/2019	PD- LEASED VEHICLES, REF ADMIN LEASED VEHICLE FEB 2019 - PD- LEASED VEHI FEB 2019 - ADMIN LEASED VI	2,895.17 8.75 1,488.03 1,005.22	5,397.17
81765	3/12/2019	00000619 FALCON FUELS, INC. Voucher:	4219 3974	1/30/2019 1/24/2019	REGULAR UNLEADED FUEL REGULAR UNLEADED FUEL	2,996.06 3,640.86	6,636.92
81766	3/12/2019	00002026 FEDERAL EXPRESS CORPOR Voucher:	6-454-70456 6-454-70456	2/8/2019 2/25/2019	FEDEX EXPRESS SAVER, PR FEDEX PRIORITY OVERNIGH	117.81 19.95	137.76
81767	3/12/2019	0011914 FLORES, RICHARD A Voucher:	Ref000248010	2/19/2019	UB REFUND CST #00035685 -	10.00	10.00
81768	3/12/2019	0010697 FOCUS CAMERA LLC Voucher:	8864384	2/6/2019	CANON POWERSHOT ELPH I	1,807.00	1,807.00
81769	3/12/2019	0008331 FORENSIC NURSE RESPONS Voucher:	01-17-19	2/1/2019	SART EXAM- AGENCY CASE#	1,020.00	1,020.00

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81770	3/12/2019	0009042	FORTEL TRAFFIC, INC.	9493-1	1/18/2019	FORTEL-1 YEAR SERVICE AG	4,103.50
		Voucher:					
81771	3/12/2019	0010237	FRONTIER COMMUNICATION	562-622-5327-0	2/19/2019	BILLING- 02/19/19-03/18/19	59.24
		Voucher:					
81772	3/12/2019	00004934	GAS COMPANY	562-923-9514-0	2/10/2019	BILLING 02/10/2019- 03/09/201	115.62
		Voucher:					
				013 900 7300 3-	2/14/2018	BILLING PRD- 01/14/19 - 02/12	1,087.67
				130 500 9400 5-	2/13/2019	BILLING PRD- 01/11/19 - 02/11	160.03
				083-407-6536-4	2/25/2019	BILLING PRD- 01/22/19 -02/21,	14.79
				102-000-8100-7	2/13/2019	BILLING PRD- 01/11/19 -02/11/	475.63
				132-600-9400-1	2/13/2019	BILLING PRD- 12/11/18 -01/11/	34.21
				094 300 7500 3-	2/19/2019	BILLING PRD- 12/14/18-01/16/	56.38
				134-700-9400-7	2/13/2019	BILLING PRD- 01/11/19 -02/11/	475.63
				189 300 9500 7-	2/20/2019	BILLING PRD- 01/17/19 -02/15,	1,221.10
81773	3/12/2019	0011912	GIL, ANGELINA	Ref000248008	2/7/2019	UB REFUND CST #00061300 -	110.56
		Voucher:					
81774	3/12/2019	0010016	GLOBAL PARATRANSIT INC.	111819-07	2/18/2019	FIXED ROUTE (GATE) TRANS	52,688.61
		Voucher:					
81775	3/12/2019	0011917	GOMEZ, ROSA & JOSE	Ref000248013	2/19/2019	UB REFUND CST #00052800 -	150.00
		Voucher:					
81776	3/12/2019	00002890	GRAINGER	9079377215	2/6/2019	SPORTS CENTER/POOL VEN	89.27
		Voucher:					
				9079029121	2/6/2019	SPORTS CENTER/POOL VEN	93.91
				9057441140	1/15/2019	SUMP PUMP	159.63
				9072125363	1/29/2019	POWER INVERTER FOR UNIT	122.14
81777	3/12/2019	0006639	GRAYBAR ELECTRIC CO.	9308620645	2/13/2019	PHOTO CELLS-STREET LIGH	101.88
		Voucher:					
81778	3/12/2019	00002524	GREEN'S CLEANERS	531407	1/31/2019	JAN 2019 - JAIL CLEANING OF	1,931.10
		Voucher:					
81779	3/12/2019	0009528	GRIFFITH COMPANY	011	12/20/2018	PMT # 011 - PROF SVCS 11/16	146,544.96
		Voucher:					
81780	3/12/2019	00000989	HARRIS & ASSOCIATES	40096	1/15/2019	10/31/18-11/07/18 - PRJ #496-	534.92
		Voucher:					
81781	3/12/2019	00001522	HD SUPPLY WHITE CAP	50009695990	1/28/2019	STREET LIGHT CIRCUIT REP,	1,117.78
		Voucher:					
81782	3/12/2019	0010209	HOBART SERVICE	33896445	1/17/2019	LABOR - OVEN REPAIR IN JAI	799.78
		Voucher:					

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81784	3/12/2019	00000268 HOME DEPOT CREDIT SERVICE	2363215	2/20/2019	FACILITY MAINTENANCE SUF	139.36	
		Voucher:	3351344	2/19/2019	HARDWARE TO MOUNT PLAC	23.27	
			7363198	2/15/2019	GRAFFITI PAINT FOR PARKS	165.00	
			9363191	2/13/2019	GROUNDS MAINTENANCE SL	31.83	
			7230530	2/5/2019	SEWER EQUIPMENT	177.00	
			7230540	2/5/2019	SEWER EQUIPMENT	43.93	
			4351280	1/29/2019	POOL SKYLIGHT REPAIRS	178.88	
			9363193	2/13/2019	MATERIALS TO REPAIR BLEA	195.99	
			7363163	2/5/2019	SCE UNPLANNED UTAGE AUI	125.37	
			1230569	2/11/2019	MATERIALS FOR CIRCUIT 28	187.00	
			1230568	2/11/2019	RIGID CONDUIT FOR CIRCUIT	213.98	
			2030057	1/31/2019	MATERIALS FOR SPORTS CE	233.89	
			8230525	2/4/2019	MATERIALS TO PAINT THE W	103.64	
			3351343	2/19/2019	REINSTALL SIGNAGE IN THE	21.92	
			5230547	2/20/2019	MATERIALS TO REPAIR BLEA	163.81	
			6340031	2/26/2019	BLIND FOR CITY CLERK'S OF	635.03	
			6340030	2/26/2019	3/8" PLYWOOD PLYER FOR S	962.12	
			1363220	2/21/2019	GROUNDS MAINTENANCE SL	7.32	
			5351373	2/27/2019	PURCHASE HARDWARE SUP	140.98	
			6340032	2/26/2019	MATERIAL FOR REPAIRS AT F	6.01	
			4351376	2/28/2019	GROUNDS MAINTENANCE SL	411.84	
			5351271	1/28/2019	MATERIALS TO PAINT THE RI	52.68	
			5230485	1/28/2019	MATERIALS FOR THE TMC R	157.63	
			7363165	2/5/2019	MATERIALS FOR PD EOC	26.20	
			7363225	2/25/2019	HARDWARE FOR INSTALLATI	95.59	
			7363227	2/25/2019	MATERIALS TO PATCH WALL:	66.66	
			6340040	2/26/2019	GROUNDS MAINTENANC SUF	128.50	
			1363218	3/21/2019	MATERILAS TO INSTALL A PL	34.17	
			4351281	1/29/2019	POOL SPA SKY LIGHT REPAIF	200.45	
			5230484	1/28/2019	TMC AND PATCHING PAINT M	396.89	
			6363177	2/6/2019	PAINTING AND PATCHING MA	13.67	
			7363164	2/5/2019	VEHICLE PAINT - STORAGE C	17.51	
			2030056	1/31/2019	MATERIALS FOR SPORTS CE	208.38	
			9344514	1/24/2019	MATERIALS TO REFINISH THI	25.84	
			4351282	1/29/2019	POOL SPA SKY LIGHT REPAIF	272.25	



Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
			9031073	2/13/2019	MATERIALS TO REPAIR BLEA	51.50	
			1230570	2/11/2019	MATERIALS TO REPAIR RAIN	269.17	
			8363194	2/14/2019	GROUPS MAINTENANCE SI	69.74	
			9989737	1/17/2019	WET PATCH	205.76	
			2363209	2/20/2019	ANCHORS FOR BABY CHANG	86.50	
			3230611	2/19/2019	PAINT AND MATERILS FOR AI	62.46	
			3363207	2/19/2019	MATERIALS FOR TOT LOT DF	141.07	
			0230590	2/12/2019	GROUPS MAINTENANCE SI	42.91	
			0230594	2/12/2019	GROUPS MAINTENANCE SI	50.33	6,844.03
81785	3/12/2019	00000647	HONEYWELL INTERNATIONAL5247125190	2/1/2019	HONEYWELL-ANNUAL SVCS	8,540.00	8,540.00
			Voucher:				
81786	3/12/2019	00002832	HUNTINGTON PARK RUBBER RGC016141	2/13/2019	STAMPS FOR ADMIN (PD)	71.33	71.33
			Voucher:				
81787	3/12/2019	0011870	HYM ENGINEERING, INC. 1 (PRJ 573-WTF	1/15/2019	DEC. 2018 - CONSTR SRVS F	250,082.08	250,082.08
			Voucher:				
81788	3/12/2019	00000428	IMSA	2/21/2019	MICHAEL RAMIREZ, IMSA- AN	80.00	80.00
			Voucher:				
81789	3/12/2019	0011871	INTER-SKY, INC. 10989	2/12/2019	INTER-SKY: POOL SKYLIGHT	19,816.00	19,816.00
			Voucher:				
81790	3/12/2019	00001866	INTOXIMETERS 619025	2/1/2019	DRYGAS 108L/223PPM(.082)C	221.04	221.04
			Voucher:				



(Continued)

Bank : botw BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
81799	3/12/2019	0011203 Voucher:	MARCO POWER EQUIPMENT 20193374	2/5/2019	CHAPS FOR ST DIV	589.73	589.73	
81800	3/12/2019	0011911 Voucher:	MARIN, LUIS	2/7/2019	UB REFUND CST #00059978 -	19.60	19.60	
81801	3/12/2019	0011919 Voucher:	MARTINEZ, DANIEL	2/25/2019	UB REFUND CST #00062777-	105.62	105.62	
81802	3/12/2019	00001046 Voucher:	MAXIMUS, INC.	12/31/2018	FY18-19 - PREP & SUBMISSIC	3,280.00	3,280.00	
81803	3/12/2019	00004060 Voucher:	MCMMASTER-CARR SUPPLY C184725724	1/24/2019	SPA BLOWER MOTOR REPLA	1,359.63	1,359.63	
81804	3/12/2019	0011575 Voucher:	MERCHANTS BUILDING	11/15/2018	MBM-ANNUAL CUSTODIAL AN	94.50	94.50	
81805	3/12/2019	00003704 Voucher:	MIRACLE PLAYGROUND SALE804833-RI	10/5/2018	RI CK# 80528 - REPLACEMENT	978.49	978.49	
81806	3/12/2019	00000447 Voucher:	MISC - BLDG PERMITS	18-2491 MARAV	9/26/2018	RI CK# 81525, 18-2491 MARAV	16.00	16.00
81807	3/12/2019	00003356 Voucher:	MISC - LIABILITY CLAIMS	19-06-30 EAN S	2/21/2019	CLAIM# 19-06-30 EAN SERVIC	580.80	580.80
81808	3/12/2019	00000170 Voucher:	MISC - PKS & REC REFUND	162448-PERALT	1/3/2019	162448 - REFUND: DEPOSIT F	277.00	277.00
81809	3/12/2019	00000170 Voucher:	MISC - PKS & REC REFUND	163054-IMAGO	1/7/2019	163054 - REFUND: DEPOSIT F	277.00	277.00
81810	3/12/2019	00000170 Voucher:	MISC - PKS & REC REFUND	166577-RAMIRE	2/5/2019	168577 - REFUND: DEPOSIT F	151.00	151.00
81811	3/12/2019	00000170 Voucher:	MISC - PKS & REC REFUND	166478-LOYA, C	2/4/2019	166478 - REFUND: DEPOSIT F	143.00	143.00
81812	3/12/2019	0007720 Voucher:	MRI SOFTWARE, LLC.	US-INV756555	1/22/2019	IVR PHONE CHARGES - 12/20	7.27	7.27
81813	3/12/2019	0008506 Voucher:	MUNITEMPS	129128	2/22/2019	HR ANALYST- TAYLOR, TIMO	3,332.00	3,332.00
81814	3/12/2019	00004620 Voucher:	MUTUAL LIQUID GAS & EQUIF377088	2/5/2019	PROPANE GAS AND COMPLI	910.28	910.28	
81815	3/12/2019	0010176 Voucher:	NATIONAL NEIGHBORHOOD V1902376	2/13/2019	CUSTOM DESIGN SOUTH GA	113.56	113.56	

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81816	3/12/2019	0009990	NATURE'S SELECT PET FOOD	2/15/2019	DOG FOOD-VEGAMAILO	90.08	178.44
		Voucher:	3155	1/31/2019	DOG FOOD SUPPLIER	88.36	204.28
81817	3/12/2019	0011918	NAVARRO, RAMON	2/19/2019	UB REFUND CST #00059994 -	204.28	
		Voucher:	Ref000248014				
81818	3/12/2019	0011267	NICE UPTIVITY	2/20/2019	1/16/19-8/31/19 (PRO-RATED)-	592.00	592.00
		Voucher:	INV21424				
81819	3/12/2019	00003962	NICKEY PETROLEUM CO., INC	1/28/2019	GRAFFITTI REMOVAL AND PE	579.61	579.61
		Voucher:	INC342115				
81820	3/12/2019	0011915	NICOLAS, HILARIO	2/19/2019	UB REFUND CST #00041444 -	40.00	40.00
		Voucher:	Ref000248011				
81821	3/12/2019	00003867	NUCCIO'S NURSERIES INC.	2/25/2019	AZALEA MIX	90.34	574.33
		Voucher:	T225-1 02/25/19	2/26/2019	AZALEAS - 5 GALLON	483.99	
			T226-1	2/11/2019	TAILGATE LATCH FOR UNIT 6	84.21	
			3063-272299	2/14/2019	AIR FILTER FOR UNIT 412	51.50	
			3063-272723	2/12/2019	WIPER BLADES FOR UNIT 12	20.26	
			3063-272445	2/7/2019	RELAY FOR UNIT 174	16.43	
			3063-271625	2/11/2019	TAPPING TOOL	6.60	
			3063-272364	2/20/2019	IGNITION CONTROL MODULE	45.35	
			3063-273746	2/14/2019	HUB BEARING FOR UNIT 416	194.78	
			3063-272813	2/14/2019	AUTO PARTS - 1PAIR. JACK S	242.54	
			3063-272768	2/13/2019	4- OIL FILTERS FOR RESTOC	9.66	
			3063-272598	2/14/2019	IGNITION COIL FOR UNIT 290	55.80	
			3063-272788	2/14/2019	POWER STEERING FLUID UN	51.23	
			3063-272765	2/14/2019	AUTO PARTS - 1PAIR. JACK S	287.64	
			3063-272770	2/6/2019	TEMPERATURE SENSOR FOI	18.94	
			3063-271534	2/14/2019	POWER STEERING PUMP FO	137.81	
			3063-272818	2/14/2019	2- IGNITION COILS FOR UNIT	111.60	
			3063-272807	2/6/2019	THROTTLE BODY FOR UNIT	226.01	
			3063-271562	2/12/2019	24 QTS. MOTOR OIL	198.19	1,758.55
			3063-272452	2/28/2019	INVENTORY PO/ TIRES	2,943.24	2,943.24
81823	3/12/2019	00004582	PARKHOUSE TIRE INC				
		Voucher:	1010660794				
81824	3/12/2019	0011294	PARKWOOD LANDSCAPE	1/31/2019	JANUARY 2019 - LANDSCAPE	20,777.00	20,777.00
		Voucher:	2991				
81825	3/12/2019	0011904	PATHOLOGY AND LABORATO	1/23/2019	BLOOD DRAW & BOOKING E	174.47	174.47
		Voucher:	010123/19				

Final Check List  
City of South Gate

apChkLst  
03/05/2019 6:33:32PM

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81826	3/12/2019	00004560		7/31/2018	07/26/18 - PATRIOT ENVIRONI	592.71	592.71
		Voucher:					
81827	3/12/2019	0008916		2/6/2019	TRNG: SWAT HANDGUN TAC	1,350.00	1,350.00
		Voucher:					
81828	3/12/2019	0010825	1-2486	2/18/2019	TRNG: PER DIEM & MILAGE -	43.60	43.60
		Voucher:					
81829	3/12/2019	00003899	1-2484	2/18/2019	TRNG - PER DEIM & MILAGE -	373.48	373.48
		Voucher:					
81830	3/12/2019	0011470	1-2473	2/8/2019	TRNG: PER DIEM & MILAGE -	606.11	606.11
		Voucher:					
81831	3/12/2019	00003809		2/18/2019	TRNG: PER DIEM & MILAGE -	77.24	77.24
		Voucher:					
81832	3/12/2019	0011783	1-2486	2/18/2019	TRNG: PER DIEM & MILAGE -	43.60	43.60
		Voucher:					
81833	3/12/2019	00004142	1-2480	2/21/2019	TRNG: PER DIEM & MILAGE -	70.98	70.98
		Voucher:					
81834	3/12/2019	00004380	1-2472	2/21/2019	TRNG: PER DIEM AND MILAG	396.40	396.40
		Voucher:					
81835	3/12/2019	00000380	1-2482	2/18/2019	TRNG: PER DIEM & MILAGE -	105.78	105.78
		Voucher:					
81836	3/12/2019	0011784	1-2486	2/18/2019	TRNG: PER DIEM & MILAGE -	43.60	43.60
		Voucher:					
81837	3/12/2019	00001358		2/12/2019	TRNG: DRIVER TRNG UPDAT	575.00	575.00
		Voucher:					
81838	3/12/2019	00000488		1/21/2019	CYLINDER RENTALS	138.53	138.53
		Voucher:					
81839	3/12/2019	0011913	Ref000248009	2/7/2019	UB REFUND CST #00062568 -	155.88	155.88
		Voucher:					
81840	3/12/2019	0005368	81645	2/20/2019	(45) COLOR BOOKLETS - COI	407.93	562.28
		Voucher:	81415	2/20/2019	150-CHRISTMAS GREETING (	154.35	400.00
81841	3/12/2019	0006933		1/31/2019	01/29/19 - PRE-EMPLOYMENT	400.00	
		Voucher:					
81842	3/12/2019	0008159	71664	1/22/2019	PUMPMAN-EMERGENCY TRA	200.00	5,517.00
		Voucher:	216047	2/16/2019	PUMPMAN-EMERGENCY TRA	5,317.00	

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81843	3/12/2019	00004741	QUALITY FENCE COMPANY IN47991	1/7/2019	REPAIR FENCE AT SALT LAKE	1,074.94	
		Voucher:	47994	1/7/2019	FENCE PARTS AND REPAIRS	63.40	
			47992	1/7/2019	FENCE PARTS AND REPAIRS	1,074.94	
			47993	1/7/2019	FENCE PARTS AND REPAIRS	97.02	2,310.30
81844	3/12/2019	00003963	RESOURCE BUILDING MATER2559364	2/7/2019	INVENTORY PO/ REDIMIX	454.01	454.01
		Voucher:					
81845	3/12/2019	00003840	RIVERSIDE CO SHERIFF'S DEBCTC0009521	2/18/2019	TRNG: SUPERVISORY COUR:	277.00	277.00
		Voucher:					
81846	3/12/2019	0007637	RSG, INC	1/31/2019	RELOCATION - 9019 LONG BE	7,175.00	7,175.00
		Voucher:					
81847	3/12/2019	00000322	SAM'S CLUB	2/20/2019	MISC SUPPLIES	62.16	
		Voucher:	000495	2/12/2019	GOLF COURSE CONCESSION	173.27	
			007498	02/13/19	INVENTORY PO/ COFFEE	494.07	
			002120	2/11/2019	SENIOR SUPPLIES - LUNCH F	591.44	
			009757	2/9/2019	FOOD, SNACK'S AND DRINKS	75.97	1,396.91
81848	3/12/2019	0008973	SCOTT ROBINSON CHRYSLER138548	2/14/2019	MOTOR MOUNT FOR UNIT 17	97.73	
		Voucher:	138904	2/19/2019	RADIATOR HOSE AND COOL	136.27	234.00
81849	3/12/2019	0010623	SECTRAN SECURITY INC.	2/1/2019	FEB 2019- ARMORED TRUCK	296.09	296.09
		Voucher:					
81850	3/12/2019	0007073	SERGIO'S AUTO UPHOLSTER1556	2/11/2019	SEAT AND HEADLINER REPAI	445.00	445.00
		Voucher:					
81851	3/12/2019	00002616	SHRED-IT US JV LLC	1/31/2019	JAN 2019 - SHREDDING OF D	72.00	72.00
		Voucher:					
81852	3/12/2019	00004857	SMITH FASTENER COMPANY SF0018522	2/7/2019	HARDWARE FOR BLEACHER	62.35	
		Voucher:	SF0018275	2/7/2019	FASTENERS MISC	166.71	
			SF0018328	2/7/2019	SAW BLADES	111.66	340.72
81853	3/12/2019	0008790	STEAM X. LLC	12/4/2018	PARTS & REPAIRS FOR GRAF	257.28	257.28
		Voucher:					
81854	3/12/2019	0008773	STOTZ EQUIPMENT	2/25/2019	EQUIPMENT REPLACEMENT	1,197.16	
		Voucher:	P03196	2/20/2019	JOHN DEERE PARTS FOR GC	1,205.53	2,402.69
81855	3/12/2019	0010270	STUDIO SPECTRUM, INC.	8/20/2018	SPECTRUM-COUNCIL CHAME	15,010.76	15,010.76
		Voucher:					
81856	3/12/2019	0006541	TEK TIME SYSTEMS INC.	2/22/2019	SHOP SERVICE ON ABE700 P	312.50	312.50
		Voucher:	2056513				

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81857	3/12/2019	0008153	0719691020219	2/2/2019	ACCT# 8448 30 017 0719691 -	106.72	
		Voucher:	0719691121218	12/12/2018	ACCT# 8448 30 017 0719691 -	207.82	
81858	3/12/2019	0011640	0719691010219	1/2/2019	ACCT# 8448 30 017 0719691 -	103.61	418.15
		Voucher:	6514855	2/14/2019	4- TIRES FOR UNIT 116	344.02	344.02
81859	3/12/2019	0010408	35816	2/21/2019	TRIP ON 02/16/19 TO AHMAN;	551.38	
		Voucher:	35815	2/14/2019	TRIP ON 02/07/19 TO FANTAS	1,047.61	1,598.99
81860	3/12/2019	00003438	TRANS UNION-SOUTHERN C/01905656	1/25/2019	CREDIT CHECKS- PERIOD: 1;	110.56	110.56
81861	3/12/2019	0011316	TRANSTECH ENGINEERS, INC20182971	11/30/2018	THRU 11/30/18 - CONSTR MG	3,000.00	3,000.00
81862	3/12/2019	0008005	U.S. BANK-PARS ACCT#67460APRIL 2019	4/1/2019	PARS SUPPLMNTL RETIREMI	5,618.97	
		Voucher:	APR 2019- LOUI	4/1/2019	APR 2019- KEN LOUIE- PARS-	550.00	
		Voucher:	APR 2019- R.BA	4/1/2019	APR 2019- RON BATES- PARS	160.00	
		Voucher:	APR 2019-MOS	4/1/2019	APR 2019- M.MOSTAHKAMI - I	680.00	7,008.97
81863	3/12/2019	0005474	U.S. HEALTHWORKS MEDICA\3470864-CA	2/5/2019	JAN 2019 - DUI BLOOD DRAW	1,446.50	
		Voucher:	3470845-CA	2/5/2019	JAN 2019 - DOT RENEWALS,	973.00	2,419.50
81864	3/12/2019	00001928	U.S. POSTAL SVC/PITNEY BO\APRIL 2019	4/1/2019	POSTAGE- APRIL 2019	2,500.00	2,500.00
81865	3/12/2019	0005750	UNITED INDUSTRIES	2/14/2019	INVENTORY PO/ NITRILE GLC	541.07	541.07
81866	3/12/2019	00004975	US ARMOR	2/25/2019	VESTS	529.87	529.87
81867	3/12/2019	00003928	US BANK TRUST N.A.	165017000- 03/2	MAR 2019 - SERIES 2012 SOL	146,037.50	
		Voucher:	788757000- 03/2	3/1/2019	MAR 2019 - 2005 PERS OBLIG	167,703.25	
		Voucher:	94431820- 04/2C	4/1/2019	APR 2019 - 2001 SERIES SG F	115,416.67	429,157.42
81868	3/12/2019	00001848	VERIZON WIRELESS	9822872950	BILLING PRD- 12/24/18-01/23/	10,444.23	10,444.23
81869	3/12/2019	00003911	VERSATILE INFORMATION PR4945	1/30/2019	LABOR TO REPAIR PUMA REI	232.00	232.00
		Voucher:					

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81870	3/12/2019	00002634 VULCAN MATERIALS COMPAN Voucher:	72083307 72083303 72088529 72088530 72083305 72085330 72083306 72083304	1/25/2019 1/25/2019 1/30/2019 1/30/2019 1/25/2019 1/28/2019 1/25/2019 1/25/2019	ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I ASPHALT, BASE, EMULSION I	205.71 245.28 165.35 245.28 1,023.78 1,061.93 476.87	
81871	3/12/2019	00004423 WALTERS WHOLESALE ELECS Voucher:	112128574.001	12/21/2018	RI-CK# 81701 - LIGHT CONTR	222.22	3,749.42 222.22
81872	3/12/2019	00002593 WAXIE'S SANITARY SUPPLY Voucher:	78047338	2/6/2019	INVENTORY PO/ JANITORIAL	6,960.27	6,960.27
81873	3/12/2019	0010471 WEBSTER'S BEE'S REMOVAL Voucher:	9200	2/7/2019	BEE REMOVAL - 10728 ST JAI	235.00	235.00
81874	3/12/2019	00000032 WEST COAST MAILERS Voucher:	9760 9754 9752 9757 9755 9753 9761 9759 9756 9800 9795 9798 9799 9806 9801 9796 9797 9758	2/20/2019 2/20/2019 2/20/2019 2/20/2019 2/20/2019 2/20/2019 2/20/2019 2/20/2019 2/20/2019 2/28/2019 2/27/2019 2/28/2019 2/28/2019 2/28/2019 2/28/2019 2/27/2019 2/28/2019 2/20/2019	BILLS CYCLES 1 & 2 JOB #12- BILLS CYCLES 7 & 8 JOB #1-1 BILLS CYCLES 1 & 2 JOB #12- BILLS CYCLES 7 & 8 JOB #12- BILLS CYCLES 10 JOB # 1-10; BILLS CYCLES 1 & 2 JOB #1-1 BILLS CYCLES 5 & 6 JOB #12- BILLS CYCLES 3 & 4 JOB #12- BILLS CYCLES 3, 4, 5 & 6 JOB LATE NOTICES CYCLES 3 & 4 LATE NOTICES CYCLES 5 & 6 LATE NOTICES CYCLES 7 & 8 BILLS CYCLES 1 & 2 JOB# 2-1 BILLS CYCLES 3 & 4 JOB# 1-1 BILLS CYCLES 5 & 6 JOB# 1-1 BILLS CYCLES 7 & 8 JOB# 1-1 BILLS CYCLES 10 JOB# 1-151 BILLS CYCLES 1 & 2 JOB #12-	2,081.83 307.15 382.91 1,552.09 161.92 2,078.00 1,767.88 1,668.73 524.94 298.48 346.11 284.19 2,080.36 1,668.73 1,769.32 1,512.87 166.00 334.85 242.53 242.53	
81875	3/12/2019	0007074 WEST COAST SAND & GRAVE Voucher:	100014	1/23/2019 1/23/2019	SCREENED FILL SAND - STO SCREENED FILLED SAND - S	18,986.36 485.06	18,986.36 485.06



Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81876	3/12/2019	00000561 WESTERN EXTERMINATOR	C6787170	1/31/2019	WESTERN EXTERMINATORS	78.00	
		Voucher:	6751399	1/31/2019	WESTERN EXTERMINATORS	275.00	
			6769055	1/31/2019	WESTERN EXTERMINATORS	149.00	
			6793367	1/31/2019	WESTERN EXTERMINATORS	114.50	
			6756875	1/31/2019	JAN 2019 - WESTERN EXTER	40.00	
			6793366	1/31/2019	JAN 20109 - WESTERN EXTEI	195.50	
			6793368	1/31/2019	WESTERN EXTERMINATORS	44.00	
			6795741	1/31/2019	WESTERN EXTERMINATORS	39.50	
			6684813	12/31/2018	WESTERN EXTERMINATORS	275.00	
			6645971	12/31/2018	WESTERN EXTERMINATORS	280.00	
			6700273	12/31/2018	WESTERN EXTERMINATORS	78.00	
			6673129	12/31/2018	WESTERN EXTERMINATORS	62.50	
			6673130	12/31/2018	WESTERN EXTERMINATORS	114.50	
			6673132	12/31/2018	WESTERN EXTERMINATORS	143.50	
			6737432	1/31/2019	WESTERN EXTERMINATORS	195.00	
			6756876	1/31/2019	WESTERN EXTERMINATORS	200.00	
			6751400	1/31/2019	WESTERN EXTERMINATORS	280.00	
			6795742	1/31/2019	WESTERN EXTERMINATORS	143.50	
			6793365	1/31/2019	WESTERN EXTERMINATORS	65.50	
			6696342	12/31/2018	WESTERN EXTERMINATORS	200.00	
			6693312	12/31/2018	WESTERN EXTERMINATORS	195.00	
			6669383	12/31/2018	WESTERN EXTERMINATORS	44.00	
			6673131	12/31/2018	WESTERN EXTERMINATORS	39.50	
			6673128	12/31/2018	WESTERN EXTERMINATORS	65.50	
			6661560	12/31/2018	WESTERN EXTERMINATORS	149.00	
			6708479	12/31/2018	WESTERN EXTERMINATORS	40.00	
			6705984	12/31/2018	WESTERN EXTERMINATORS	2,000.00	5,701.50
			6673127	12/31/2018	WESTERN EXTERMINATORS	195.50	1,248.75
81877	3/12/2019	0007584 WINZER CORPORATION	6309804	2/12/2019	INVENTORY PO/ SPRAY PAI	1,248.75	
		Voucher:					

Bank : botw BANK OF THE WEST (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81878	3/12/2019	00003442 YOUNGBLOOD & ASSOCIATE: Voucher:	3639A 3657A 3644A 3653A 3641A 3632A	2/9/2019 2/20/2019 2/12/2019 2/15/2019 2/11/2019 2/6/2019	PRE-EMPLOYMENT POLYGR/ PRE-EMPLOYMENT POLYGR/ PRE-EMPLOYMENT POLYGR/ PRE-EMPLOYMENT POLYGR/ PRE-EMPLOYMENT POLYGR/ PRE-EMPLOYMENT POLYGR/	300.00 375.00 375.00 600.00 600.00 375.00	
81879	3/12/2019	00000062 ZIEGLER'S HARDWARE & SUP: Voucher:	07531 7493 07534 07543 7481 07504 7339 07542 7489 07545 07564 07565 07587 02/27/19 07593	2/11/2019 1/31/2019 2/12/2019 2/13/2019 1/29/2019 2/5/2019 12/17/2018 2/13/2019 1/30/2019 2/14/2019 2/20/2019 2/20/2019 2/27/2019 2/27/2019	PIPE PLUGS AND COUPLING; FLASH LIGHT AND BATTERIE MISC HARDWARE DRILL BITS (SPEED BORE) F( TMC ROOM PAINT AND PATC PADLOCKS FOR ST DIV FLASH LIGHT AND BATTERIE MATERIALS TO REPAIR BLEA HARDWARE TO INSTALL CIR/ SUPPLIES FOR ARTURO CER FOR BABY CHANGERS CITY MATERIALS FOR DRINKING F HANDLE & TRIM KIT FOR WO MISC HARDWARE	12.06 14.52 28.04 29.76 39.65 37.46 38.58 55.33 36.01 24.77 80.48 98.60 60.62 13.20	2,625.00
2282019	2/28/2019	00004309 AMERIFLEX Voucher:	FEBRUARY 201	2/28/2019	FEBRUARY 2019- ACH DEBIT	2,200.33	2,200.33
Sub total for BANK OF THE WEST:						1,497,033.98	

165 checks in this report.

Grand Total All Checks: 1,497,033.98

Void Checks

Bank code: botw  
Check # 81783 Date 3/12/2019

WARRANT REGISTER COUNCIL MEETING 03/12/2019

PART II a

apChkLst

02/20/2019 2:15:44PM

Final Check List

City of South Gate

Bank : botw BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
81712	2/21/2019	0009920	OCSE CLEARINGHOUSE SDU Ben247533	2/21/2019	GARNISHMENT - AR CHILD S	324.00	324.00
Voucher:							
81713	2/21/2019	0008951	SENCION, CARMEN Ben247531	2/21/2019	SPOUSAL SUPPORT-E. SENC	553.85	553.85
Voucher:							
81714	2/21/2019	0008005	U.S. BANK-PARS ACCT#67460 Ben247529	2/21/2019	PARS 11.87%: PAYMENT	749.66	749.66
Voucher:							
Sub total for BANK OF THE WEST:						1,627.51	

3 checks in this report.

Grand Total All Checks: 1,627.51

Void Checks

Bank code: botw  
(none)

WARRANT REGISTER COUNCIL MEETING 03/12/2019

PART II b

apChkLst  
02/27/2019 4:59:09PM

Final Check List  
City of South Gate

Page: 1

Bank : botw BANK OF THE WEST

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
1640	2/7/2019	00000343	PUBLIC EMPLOYEES RETIREMEIBen246746	2/7/2019	PERS RETIREMENT: PAYMENT	207,697.13	207,697.13
			Voucher:				
1643	2/21/2019	00000004	NATIONWIDE RETIREMENT SOLLBen247535	2/21/2019	DEF COMP NATIONWIDE: PAYME	55,675.78	55,675.78
			Voucher:				
1644	2/21/2019	00004836	SEIU LOCAL 721 CTW CLC-23900Ben247537	2/21/2019	SEIU DUES: PAYMENT	3,137.28	3,137.28
			Voucher:				
1645	2/21/2019	00002370	INTERNAL REVENUE SERVICE Ben247539	2/21/2019	MEDICARE: PAYMENT	136,190.10	136,190.10
			Voucher:				
1646	2/21/2019	00000343	PUBLIC EMPLOYEES RETIREMEIBen247541	2/21/2019	PERS RETIREMENT: PAYMENT	200,783.88	200,783.88
			Voucher:				
1647	2/21/2019	00001186	EMPLOYMENT DEVELOPMENT DBen247543	2/21/2019	SDI: PAYMENT	43,494.46	43,494.46
			Voucher:				
1648	2/21/2019	00004996	SEIU-COPE LOCAL 721, LA/OOC CIBen247545	2/21/2019	SEIU- COPE LOCAL 721 DEDUCT	49.00	49.00
			Voucher:				
1649	2/21/2019	00004988	CHILD SUPPORT ON-LINE, STATEBen247547	2/21/2019	CHILD SUPPORT-ONLINE: PAYMI	2,163.81	2,163.81
			Voucher:				
Sub total for BANK OF THE WEST:						649,191.44	

8 checks in this report.

Grand Total All Checks: 649,191.44

Void Checks

Bank code: botw  
(none)

**WARRANT REGISTER COUNCIL MEETING 03/12/2019**

**TOTALS**

**FISCAL YEAR 2018/2019**

<b>TOTAL AP PART I</b>	<b>1,497,033.98</b>
<b>TOTAL PAYROLL PART II a - 02/21/2019</b>	<b>1,627.51</b>
<b>TOTAL PAYROLL PART II b - 02/21/2019</b>	<b>649,191.44</b>
	<b>TOTAL 2,147,852.93</b>
<b>VOIDS</b>	<b>(\$1,801.85)</b>
<b>LESS: EMPLOYEE PAYROLL DEDUCTIONS</b>	<b>(\$370,521.94)</b>
<b>TOTAL</b>	<b>1,775,529.14</b>

## SOUTH GATE CITY COUNCIL WARRANT APPROVAL AND CANCELLATION

Warrant Number 81712 to Number 81879 Inclusive, Totaling \$ 1,775,529.14 as listed on the accompanying Accounts Payable Warrant Register of March 12, 2019 and approved as presented, with the exception of the following warrants:

80528	MIRACLE PLAYGROUND SALES/S.CA.	12/11/2018	978.49	CHECK WAS LOST IN MAIL. WILL BE REISSUED
81046	CACEO	01/22/2019	125.00	WRONG VENDOR NAME. WILL BE REISSUED
81266	CMR: PEREZ, JENNY	02/12/2019	125.00	CHECK IS NO LONGER NEEDED DUE TO THE ORIGINAL STALE DATED CHECK WAS CASHED
81525	MISC - BLDG PERMITS (MARAVILLA FOUNDATION )	02/26/2019	16.00	WRONG VENDOR NAME. WILL BE REISSUED
81549	OFFICE MAX	02/26/2019	88.00	CHECK IS NO LONGER NEEDED DUE TO DUPLICATE PAYMENT
81701	WALTERS WHOLESALE ELECTRIC CO	02/26/2019	469.36	CHECK WAS PAID TO WRONG VENDOR ON SOME INVOICES WHICH NEEDED TO SEPARATE AND PAY TO CORRECT VENDORS. WILL BE REISSUED
	<b>GRAND TOTAL OF VOIDED CHECKS</b>		<b>\$ 1,801.85</b>	

\_\_\_\_\_  
CITY AUDITOR

\_\_\_\_\_  
CITY MANAGER

  
\_\_\_\_\_  
DIRECTOR OF ADMINISTRATIVE SERVICES

Pursuant to action of the City Council on March 12, 2019 at a regular or adjourned meeting, the City Treasurer was ordered to pay and/or cancel the above demands, as approved.