

**RESOLUTION NO. 2021-21-CC  
CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,  
CALIFORNIA, DECLARING THE CITY'S INTENTION TO LEVY AND  
COLLECT ASSESSMENTS FOR FISCAL YEAR 2021/22 FOR THE PARKING  
AND BUSINESS IMPROVEMENT AREA (KNOWN AS THE TWEEDY MILE  
BUSINESS DISTRICT) BUSINESS LICENSE, AS PERMITTED BY THE  
PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989  
(CALIFORNIA STREETS AND HIGHWAY CODE SECTION 36500 ET SEQ.),  
AND SCHEDULING A PUBLIC HEARING FOR JUNE 8, 2021**

**WHEREAS**, pursuant to the Parking and Business Improvement Act Law of 1965, Part 5 of Division 18 of the California Streets and Highway Code Section 36000 through 36081, on November 2, 1970, the City Council ("City Council") of the City of South Gate ("City") adopted Ordinance No. 1129 adding Chapter 2.64 (Parking and Business Improvement Area Business License), to Title 2 (Licenses – Business Regulations), of the South Gate Municipal Code establishing a Parking and Business Improvement Area ("Area"), specifying the initial or additional rate or levy of the license tax to be imposed on businesses, and specifying the uses to which the revenue shall be expended;

**WHEREAS**, the Parking and Business Improvement Area Business License levies an additional business license tax on businesses located within the designated Area and the City annually remits those funds back to the Tweedy Mile Association to be used for certain purposes in the Area;

**WHEREAS**, pursuant to Section 36530 of the California Streets and Highways Code, on September 27, 2011, the City Council adopted Ordinance No. 2286 adding Sections 2.64.100 through 2.64.140 establishing the Tweedy Mile Advisory Board ("TMAB") to make recommendations to the City Council on the expenditure of revenues derived from the levy assessments on proposed improvements and activities and on the method and basis of levying assessments;

**WHEREAS**, on September 11, 2018 and September 25, 2018, the City Council made appointments to the TMAB, which held its first meeting on February 4, 2019, and have met from time to time since;

**WHEREAS**, the TMAB prepares an annual report specifying the expenses, services, activities, and programs to be funded by the assessment, in accordance with the requirements of Sections [36530](#) and [36533](#) of the California Streets and Highways Code, and upon TMAB's approval of the annual report, presents it to the City Council for the conduct of a public hearing on the assessments for the fiscal year referred to in the annual report;

**WHEREAS**, the Area is known as the Tweedy Mile Business District which boundaries include Tweedy Boulevard between the beginning of the northeasterly line of Long Beach Boulevard and easterly along said prolongation and southerly line to the intersection with the westerly line of Hunt Avenue;

**WHEREAS**, the City Council and the TMAB have determined that the Area benefits the businesses located and operating within the Area by generating revenue for businesses to improve the physical and financial health, social and cultural center of the City, and thereby enhances the



City's community at large;

**WHEREAS**, the TMAB has conducted significant outreach to member businesses to formulate the Annual Report for Fiscal Years 2020/21 and 2021/22, including the work plan, budget and fee assessment schedule that would be fair, reasonable and in compliance with the California Streets and Highway Code Section 36500 et. seq.;

**WHEREAS**, at its Special Meeting of April 26, 2021, the TMAB approved the Annual Report for Fiscal Years 2020/21 and 2021/22, specifying the expenses, services, activities, and programs to be funded by the assessments for Fiscal Years 2020/21 and 2021/22;

**WHEREAS**, the continuation of the Area and the related levy of assessments will promote the economic revitalization of the downtown area of the City, create jobs, and attract new businesses; in addition, the Area enhances and promotes the City, culturally and commercially; and

**WHEREAS**, the City Council desires to conduct a formal Public Hearing on the Area's proposed levy assessments for Fiscal Year 2021/22.

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

**SECTION 1.** The City Council does hereby declare that the above recitals are true and correct and are incorporated herein by reference.

**SECTION 2.** The City Council does hereby declare that the Area has not changed. The territorial boundaries in the Area are identified in the Area Map attached hereto as Exhibit "A" and made a part hereof.

**SECTION 3.** Pursuant to the Parking and Business Improvement Area Law of 1989 (California Streets and Highway Code Section 36500 et seq.), the City Council does hereby declare its intention to continue the levy and collect assessments within the Area for the purpose of marketing and promoting activities which will benefit the businesses located and operating within the Area for Fiscal Year 2021/22.

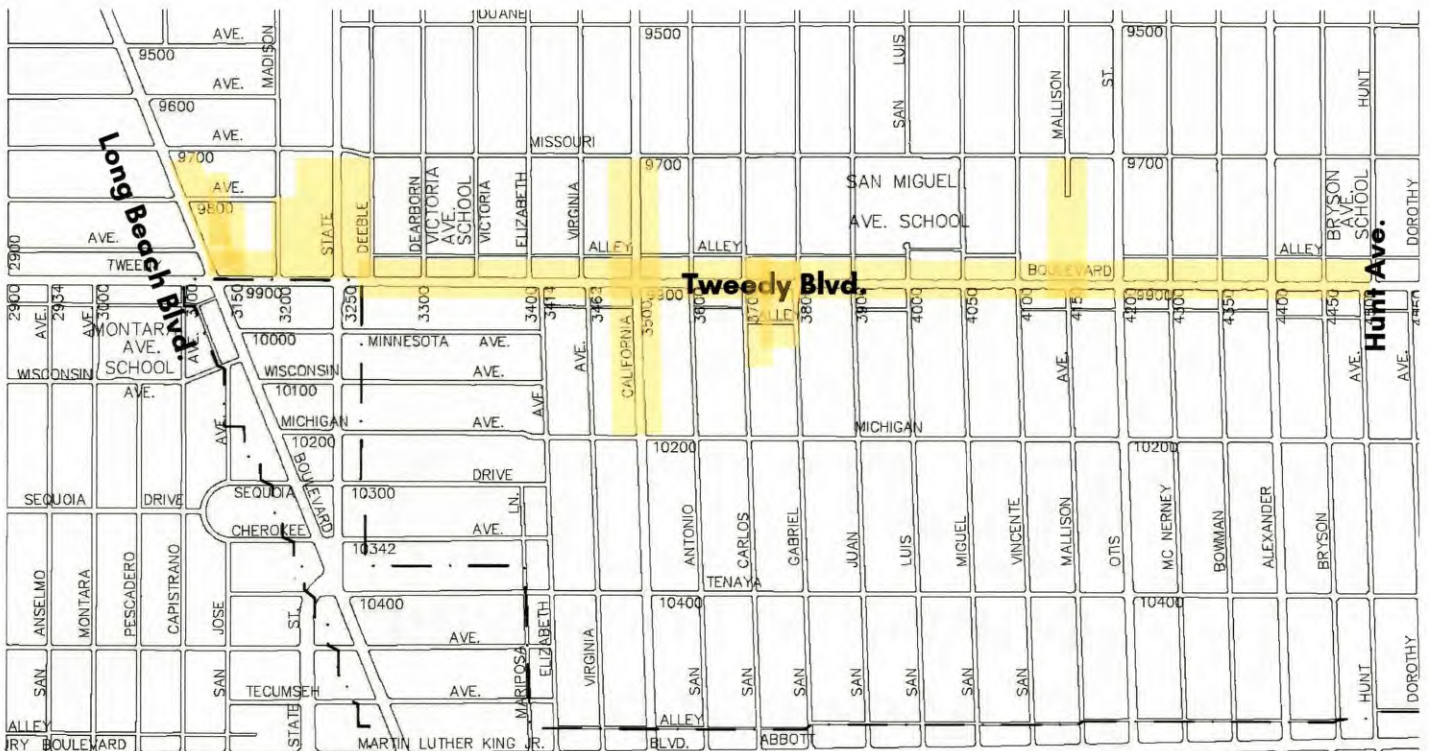
**SECTION 4.** The City Council does hereby declare that the type or types of improvements and activities proposed to be funded by the levy of assessments on businesses in the Area are in line with the "Improvements" and "Activities" permitted under Sections 36510 & 36513 of Streets and Highway Code, specifically: (a) "Improvement" means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to parking facilities, benches, trash receptacles, street lighting, decorations, parks, and fountains; and (b) "Activities" means, but is not limited to, promotion of public events which benefit businesses in the area and which take place on or in public places within the area, furnishing of music in any public place in the area, promotion of tourism within the area and activities which benefit businesses located and operating in the area. Except where funds are otherwise available, an assessment will be levied annually to pay for all improvements and activities within the Area.

**SECTION 5.** Except where funds are otherwise available, an assessment will be levied annually to pay for all improvements and activities within the Area.



# PARKING AND BUSINESS IMPROVEMENT AREA MAP

Below is a map delineating the boundaries of the Business Improvement Area in the City of South Gate.



## Addresses located in the Business Improvement Area:

California Ave.	9700 - 10100
Long Beach Blvd.	9700 - 9900
Otis St.	9700 - 10100
San Gabriel Ave.	9900 - 10100
San Juan Ave.	9900 - 10100
State St.	9700 - 9900
Tweedy Blvd.	3150 - 4499



**SECTION 6.** The TMAB's Annual Report for Fiscal Years 2020/21 and 2021/22 is on file in the City Clerk's Office and contains a description of the improvements and activities to be provided, the boundaries of the Area, and the proposed assessments to be levied upon the businesses within the Area for the Fiscal Year 2021/22.

**SECTION 7.** The City Council does hereby give notice that a public hearing is hereby scheduled for the regularly scheduled City Council Meeting of June 8, 2021, at 6:30 p.m., via Call-in Conference, to consider said assessments to be levied. At least 72 hours beforehand, the Dial-In Number and Conference Code will be posted on the City's website at [www.cityofsouthgate.org/AgendaCenter](http://www.cityofsouthgate.org/AgendaCenter). During the public hearing, the City Council shall allow public testimony regarding the proposed assessments of businesses within the Area for the proposed work plan for Fiscal Year 2021/22.

**SECTION 8.** At this public hearing, the City Council shall hear and consider all protests against the establishment of the assessment or the furnishing of specified types of improvements or activities within the Area. A protest against the assessments may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularity or defect to which the objection is made. **Every written protest shall be filed with the City Clerk no later than 6:30 p.m., on June 8, 2021.** The City Council may waive any irregularity in the form or content of any written protest and at the public hearing may correct minor defects in the proceedings.

A written protest may be withdrawn from record at any time before the conclusion of the public hearing. Each written protest shall contain a written description of the business in which the person signing the protest is interested, sufficient to identify the business, and its address. If the person signing the protest is not shown on the official records of the City as the owner of the business, then the protest shall contain or be accompanied by written evidence that the person is the owner of the business. Any written protest as to the regularity or sufficiency of the proceeding shall be in writing and clearly state the irregularity or defect to which objection is made.

If written protests are received from business owners in the proposed area which will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than that 50 percent of business owners, no further proceedings to levy the proposed assessment, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council. If the majority protest is only against the furnishing of a specified type or types of improvement or activity within the area, those types of improvements or activities shall be eliminated.

At the conclusion of the public hearing to establish the assessment for the Fiscal Year 2021/22, the City Council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements and activities to be funded with the revenues from the assessments. However, proposed assessments may only be revised by reducing any or all of them.

**SECTION 9.** Should the proposed annual assessment for Fiscal Year 2021/22 be approved by the City Council on June 8, 2021, the City Council does hereby declare its intention that all businesses pay their annual assessment when they obtain, renew or change their businesses license with the City.

**SECTION 10.** The City Council does hereby direct the City Clerk to mail a certified copy of this Resolution of Intention and a cover letter, advising that the City Council has been requested to set the Fiscal Year 2021/22 annual assessment as permitted under the California Streets and Highways



Code, by first-class mail to each business owner in the Area within seven days of the City Council's adoption of this Resolution of Intention. The cover letter shall further advise of the Public Hearing scheduled for the regularly scheduled City Council Meeting of June 8, 2021, at 6:30 p.m., where the City Council shall allow oral and written public testimony from interested parties regarding the proposed assessments of businesses within the Area. At the end of that public hearing, the City Council shall determine if there are sufficient protests equaling 50 percent or more of the assessments proposed to be levied.

**SECTION 11.** The City Council does hereby direct the City Clerk to give notice of said public hearing by causing this Resolution of Intention to be published once in a newspaper of general circulation in the City of South Gate not less than seven days before the Public Hearing.

**SECTION 12.** The City Council does hereby welcome interested persons to contact Marina R. Urias, Management Analyst, in the City Manager's Office, at (323) 563-9508 or at [murias@sogate.org](mailto:murias@sogate.org), to receive additional information about the proposed assessments. Protests in writing against the proposed assessments shall be mailed or delivered to: Carmen Avalos, City Clerk, 8650 California Avenue, South Gate, California, 90280 or to [cavalos@sogate.org](mailto:cavalos@sogate.org), **no later than 6:30 p.m., on June 8, 2021.**

**SECTION 13.** The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED this 11<sup>th</sup> day of May 2021.**

**CITY OF SOUTH GATE:**

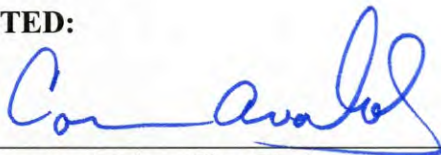
BY: \_\_\_\_\_



Al Rios, Mayor

**ATTESTED:**

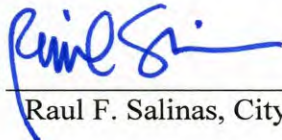
BY: \_\_\_\_\_



Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

BY: \_\_\_\_\_



Raul F. Salinas, City Attorney

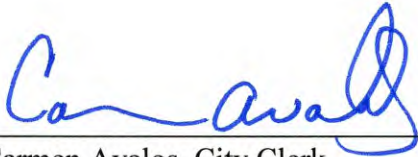
**RESOLUTION CERTIFICATION PAGE**

**STATE OF CALIFORNIA**        )  
**COUNTY OF LOS ANGELES**    )     **SS**  
**CITY OF SOUTH GATE**        )

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2021-21-CC was adopted by the City Council at their Regular Meeting held on May 11, 2021 by the following vote:

Ayes:            Council Members:    Davila, Rios, Avalos, and Hurtado  
Noes:            Council Members:    None  
Absent:          Council Members:    None  
Abstain:         Council Members:    Diaz

Witness my hand and the seal of said City on June 16, 2021.

  
\_\_\_\_\_  
Carmen Avalos, City Clerk  
City of South Gate, California