

**RESOLUTION NO. 7826**

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA APPROVING MEMORANDUM OF UNDERSTANDING AND AGREEMENT WITH THE LOS ANGELES UNIFIED SCHOOL DISTRICT TO CONVEY RIGHT-OF-WAY EASEMENTS FOR THE CONSTRUCTION OF A NEW BUS TURNOUT AND A DEDICATED RIGHT-TURN LANE WITHIN SOUTH GATE HIGH SCHOOL ON THE FIRESTONE BOULEVARD CAPACITY ENHANCEMENT PROJECT, CITY PROJECT NO. 476-TRF, METRO CALL FOR PROJECT ID NO. F3124**

**WHEREAS**, the City of South Gate ("City") is a California municipal corporation organized and existing pursuant to the laws of the State of California; and

**WHEREAS**, the Los Angeles Unified School District is a unified school district duly organized and existing under the laws of the State of California ("LAUSD"); and

**WHEREAS**, the City has undertaken the planning for and design of public improvements to construct and operate street improvements on and along the Firestone Boulevard corridor in the City ("Firestone Project"), in connection with such project the City and LAUSD have negotiated the terms of a Memorandum of Understanding and Agreement to Convey Right of Way Easement (LAUSD South Gate High School) ("MOU") that addresses a particular section of such project, specifically, adding an approximately 300-foot long bus turnout and a dedicated approximately 100-foot long right-turn pocket at the corner of Firestone Blvd and Dearborn Avenue, implementing a traffic transition zone, and related road improvements that are on or adjacent to LAUSD's South Gate High School ("SGHS") located at the corner of Dearborn Avenue and Firestone Boulevard across the frontage of the school property on Firestone Boulevard and Dearborn Avenue ("SGHS Off-Site Improvements"), along with restoration improvements on the SGHS campus ("SGHS On-Site Improvements") (together referred to herein and in the MOU as the "SGHS Improvements"); and

**WHEREAS**, the City and LAUSD have negotiated the terms of the MOU (Attachment 1 hereto and fully incorporated by this reference) to cause the conveyance of the LAUSD Easements and the construction, completion and operation of the Project; and

**WHEREAS**, pursuant to the California Environmental Quality Act, California Public Resources Code Section 21000, *et seq.*, ("CEQA") and the implementing regulations set forth at Title 14 California Code of Regulations Section 15000, *et seq.* ("Guidelines"), in particular Sections 15300, 15301(c), *Existing Facilities*, provide that improvement of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities are categorically exempt and thereby will not result in a potentially significant physical impact on the environment; and

**WHEREAS**, the MOU and Project described therein is categorically exempt under CEQA and the Guidelines; and

**WHEREAS**, the City Council has duly considered all terms and conditions of the proposed MOU, desires to approve the MOU, and believes the agreement is in the best interests of the community and the health, safety and welfare of its residents and in accord with the public purposes and provisions of applicable state and local laws and requirements.

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

**SECTION 1.** The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this resolution.

**SECTION 2.** The MOU is hereby approved, and if necessary, with such changes mutually agreed upon by LAUSD counsel and the City Attorney, or special counsel, as are minor and in substantial conformance with the MOU submitted with this Resolution. The Mayor and City Clerk are hereby authorized to execute and attest, respectively, the MOU on behalf of the City. In such regard, the City Manager is authorized to cause the Mayor and City Clerk to sign the final version of the MOU after completion of non-substantive, minor revisions, if any, to the MOU have been completed. When fully executed, a true copy of the MOU shall be placed on file in the office of the City Clerk.

**SECTION 3.** In addition to the authorizations in Section 2 above, the City Council authorizes the City Manager, or designee(s), on behalf of the City, to sign all documents necessary or appropriate to carry out the MOU and to sign any other implementing documents, to cause the issuance of warrants, if any, and to administer the City's obligations, responsibilities and duties to be performed under the MOU.

**SECTION 4.** Under CEQA and the Guidelines, the MOU and Project described therein meet the categorical exemption set forth in the Guidelines, Sections 15300, 15301(c), *Existing Facilities*, the MOU provides for the improvement of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities and thereby will not result in a potentially significant physical impact on the environment.

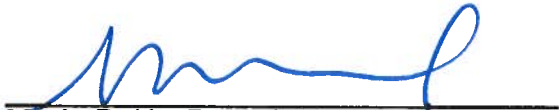
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**SECTION 5.** The Public Works Director, or his authorized designee, is hereby directed to file a Notice of Exemption with the County Clerk of the County of Los Angeles under Public Resources Code Section 21084 and CEQA Guidelines Section 15062 and 15374.


**SECTION 6.** The City Clerk shall certify to the adoption of this Resolution, which shall be effective upon its adoption.

**PASSED, APPROVED and ADOPTED** this 14<sup>th</sup> day of August 2018.

**CITY OF SOUTH GATE:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**  
STRADLING YOCCA CARLSON & RAUTH

  
\_\_\_\_\_  
Celeste Stahl Brady, Special Counsel to City



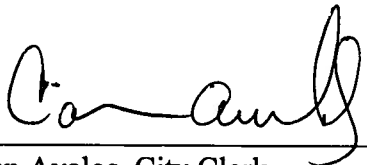
**RESOLUTION CERTIFICATION PAGE**

**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. 7826 was adopted by the City Council at their Regular Meeting held on August 14, 2018, by the following vote:

Ayes:            Council Members:    Bernal, Morales, Davila, Diaz and Rios  
Noes:            Council Members:    None  
Absent:          Council Members:    None  
Abstain:         Council Members:    None

Witness my hand and the seal of said City on August 22, 2018.



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Carmen Avalos, City Clerk  
City of South Gate, California

