



**CITY OF BELL GARDENS**  
**CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION**  
**REGULAR MEETING – CLOSED SESSION**  
**MONDAY, NOVEMBER 28, 2011, 5:00 P.M.**  
**AGENDA**

**LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS, CA**

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the City Clerk at (562) 806-7706. Notification 48 business hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

**CALL TO ORDER**

**ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS**

Pedro Aceituno, Council/Commission Member  
Daniel Crespo, Council/Commission Member  
Priscilla Flores, Council/Commission Member  
Sergio A. Infanzon, Mayor Pro-Tem/Vice-Chair  
Jennifer Rodriguez, Mayor/Chair

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes)**

This public comment period is for items listed on the CLOSED SESSION AGENDA ONLY. Submit a WHITE public comment card with the closed session agenda item number you would like to discuss to the City Clerk prior to the start of this period. Cards that are submitted with no agenda item listed will be moved to the final public comment period. There will be no further cards accepted once the public comment period has started. Comments are limited to three (3) minutes per person, subject to an overall thirty (30) minute period. Please direct your comments to the Mayor/Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the City Council/Community Development Commission from discussing any item not appearing on the posted City Council/Commission Agenda.

**CLOSED SESSION:**

**a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)**

Property: Assessor Parcel Numbers: 6227-012-900 through 918; 6227-013-900 through 909; and 6227-011-917

Agency negotiator: G. Steve Simonian, City Manager; Phil Wagner, Assistant City Manager

Negotiating parties: Bicycle Club Casino

Under negotiation: Terms of Bicycle Club Casino Lease

**b. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT  
(Government Code Section 54957)**

Title: City Manager

Any writings or documents provided to the majority of the City Council regarding any item on this agenda will be made available for public inspection at the Receptionist Counter, City Hall, 7100 Garfield Avenue, Bell Gardens, CA, during normal business hours.



**CITY OF BELL GARDENS**  
**CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION**  
**REGULAR MEETING**  
**MONDAY, NOVEMBER 28, 2011, 6:00 P.M.**  
**AGENDA**

**LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS, CA**

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**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS**

Pedro Aceituno, Council/Commission Member  
Daniel Crespo, Council/Commission Member  
Priscilla Flores, Council/Commission Member  
Sergio A. Infanzon, Mayor Pro-Tem/Vice-Chair  
Jennifer Rodriguez, Mayor/Chair

**PRESENTATIONS**

- Presentation of Certificate of Recognition to Ron Garcia
- Presentation by Ron Garcia to City Council on Southern California Edison's 125<sup>th</sup> Anniversary
- Recognition of Bicycle Casino for its participation in the Cards 4 Kids Poker Classic Fundraiser
- Presentation of award to Mayor for the City's national recognition of its partnership with Nike & LA 84
- Proclamation proclaiming the month of November 2011 as Recognition of In-Home Care Providers' Courage to Care and National Family Caregivers Month

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**CONSENT CALENDAR (Item No.'s 1 – 17)**

All matters listed under the Consent Calendar are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate action. Items called for separate discussion will be heard as the next order of business.

**JOINT COUNCIL/COMMISSION ITEMS**

**1. GENERAL MOTION TO READ ALL ORDINANCES BY TITLE ONLY**

In order to expedite the conduct of business at Council/Commission meetings, California State Law (California Government Code Section 36934) allows Ordinances to be read by title if a majority of the legislative body supports the motion to waive the full reading.

**Recommendation:** It is staff's recommendation that the City Council/Community Development Commission approve a general motion to waive full reading and approve Ordinances by title only pursuant to California Government Code Section 36934.

**2. MINUTES**

October 24, 2011 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council/Community Development Commission approve the minutes for the Regular City Council/Commission Meeting of October 24, 2011.

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**3. WARRANT REGISTERS AND WIRE TRANSFERS**

**Recommendation:** It is staff's recommendation that the Community Development Commission receive and file the following transactions:

|                   |                                    |    |           |
|-------------------|------------------------------------|----|-----------|
| Warrant Registers | 10/10/11 (Check #'s 12552)         | \$ | 65,525.92 |
| Warrant Registers | 10/17/11 (Check #'s 12553 – 12554) | \$ | 7,384.46  |
|                   | Total                              | \$ | 72,910.38 |

In approving the action of receiving and filing the warrant registers, the official minutes of the Bell Gardens Community Development Commission should state that each individual member of the Community Development Commission is not voting on, influencing the outcome of, or participating in approving, accepting, receiving, or filing any warrant which bears the name of the same Commission member, or pays for any costs or expenses, or otherwise benefits the same named Commission member. Each Commission member will not be participating, influencing, or voting on any such warrant bearing their name or which benefits the same named Commission member, but with that exception is voting in favor of receiving and filing all other warrants contained in this report, unless otherwise noted on the record at the time of the approval of the action required by this report.

**4. WARRANT REGISTERS AND WIRE TRANSFERS**

**Recommendation:** It is staff's recommendation that the Community Development Commission receive and file the following transactions:

|                   |                            |    |        |
|-------------------|----------------------------|----|--------|
| Warrant Registers | 10/24/11 (Check #'s 12555) | \$ | 43.00  |
| Warrant Registers | 10/31/11 (Check #'s 12556) | \$ | 414.00 |
|                   | Total                      | \$ | 457.00 |

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In approving the action of receiving and filing the warrant registers, the official minutes of the Bell Gardens Community Development Commission should state that each individual member of the Community Development Commission is not voting on, influencing the outcome of, or participating in approving, accepting, receiving, or filing any warrant which bears the name of the same Commission member, or pays for any costs or expenses, or otherwise benefits the same named Commission member. Each Commission member will not be participating, influencing, or voting on any such warrant bearing their name or which benefits the same named Commission member, but with that exception is voting in favor of receiving and filing all other warrants contained in this report, unless otherwise noted on the record at the time of the approval of the action required by this report.

**CITY COUNCIL ITEMS**

**5. WARRANT REGISTERS AND WIRE TRANSFERS**

**Recommendation:** It is staff's recommendation that the City Council receive and file the following transactions:

|                   |  |           |                     |
|-------------------|--|-----------|---------------------|
| Wire Transfers    | 10/06/11 (Check #'s 852 – 853 Payroll) | \$        | 455,346.76          |
| Warrant Registers | 10/10/11 (Check #'s 138830 – 138895)   | \$        | 302,430.65          |
| Warrant Registers | 10/10/11 (Check #'s 138896 – 138897)   | \$        | 830.49              |
| Warrant Registers | 10/17/11 (Check #'s 138898 – 138969)   | \$        | 365,971.75          |
|                   | <b>Total</b>                           | <b>\$</b> | <b>1,124,579.65</b> |

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**6. WARRANT REGISTERS AND WIRE TRANSFERS**

**Recommendation:** It is staff's recommendation that the City Council receive and file the following transactions:

|                   |  |           |                     |
|-------------------|--|-----------|---------------------|
| Wire Transfers    | 10/20/11 (Check #'s 854 – 855 Payroll) | \$        | 501,600.70          |
| Warrant Registers | 10/24/11 (Check #'s 138970 – 139053)   | \$        | 399,719.70          |
| Warrant Registers | 10/24/11 (Check #'s 139054 – 139058)   | \$        | 11,223.27           |
| Warrant Registers | 10/31/11 (Check #'s 139059 – 139188)   | \$        | 1,057,659.96        |
|                   | <b>Total</b>                           | <b>\$</b> | <b>1,970,203.63</b> |

In approving the action of receiving and filing the warrant registers, the official minutes of the Bell Gardens City Council should state that each individual member of the City Council is not voting on, influencing the outcome of, or participating in approving, accepting, receiving, or filing any warrant which bears the name of the same Council member, or pays for any costs or expenses, or otherwise benefits the same named Council member. Each Council member will not be participating, influencing, or voting on any such warrant bearing their name or which benefits the same named Council member, but with that exception is voting in favor of receiving and filing all other warrants contained in this report, unless otherwise noted on the record at the time of the approval of the action required by this report.

7. **SEPTEMBER 2011 TREASURER'S REPORT**

The Treasurer's Report is a list of the City's cash and investments for the month.

**Recommendation:** It is staff's recommendation that the City Council receive, approve, and file the September 2011 Treasurer's Report.

8. **TAX DEFERRED PERS CONTRIBUTIONS**

With the recent adoption of the memorandums of understanding and terms and conditions of employment with the employee bargaining groups, all employees will begin to make retirement contributions to the California Public Employee Retirement System ("PERS"). Since these contributions will be treated as tax deferred, PERS requires the City to adopt a resolution resolving to follow the requirements of IRC section 414(h)(2) and make the contributions pursuant to California Government Code Section 20691. By making the employee contributions pursuant to California Government Code Section 20691, the employee contributions will be tax deferred.

**Recommendation:** It is staff's recommendation that the City Council adopt Resolution No. 2011-46, tax deferring member paid contributions to the California Public Employees' Retirement System (PERS) – IRC 414(h)(2) Employer Pick-Up.

9. **ACCEPTANCE OF FIELD RENOVATION GRANT FOR FIELD #6 AT BELL GARDENS SPORTS COMPLEX**

In September 2011, City staff was approached by Primetime with a new grant possibility. Primetime had been hired by Anheuser-Busch ("Sponsor") to find a local community in need of having a soccer field renovated. The Sponsor was willing to provide the community with a one-time donation of \$60,000 to help address a proposed field renovation. Branding rights would be obtained by the Sponsor at the chosen field as well as obtaining permission to host a high profile event to be held on Saturday, November 19, 2011 at the grant recipient's location. On October 5, 2011, the Sponsor informed City staff that the City of Bell Gardens had been selected to receive the \$60,000 grant for the renovation of Field #6. Under the Agreement between the City and the Sponsor, branding and sponsorship improvements shall not contain any reference to alcohol or alcoholic brands. The City retains complete discretion to approve the contents of any sponsorship branding or improvements in the future.

**Recommendation:** It is staff's recommendation that the City Council adopt Resolution No. 2011-47, approving and authorizing the execution of the Three Party Agreement for Field No. 6 Sponsorship.

10. **DISABLED PERSONS PARKING BLUE CURB AT 5811 LOVELAND STREET**

In accordance with the City of Bell Gardens' Policy for the On-Street Parking for Disabled Persons in Residential Areas and the municipal code, the City prudently strives to accommodate the public parking needs of the community. The City prefers that parking for disabled persons be located off-street whenever feasible and appropriate. The City only considers On-Street Parking for Disabled Persons in special hardship cases where all guidelines in the policy are met. As required by Policy, Ms. Lizarraga submitted an application for "On-Street Parking for Disabled Persons" in front of her residence at 5811 Loveland Street, Unit D, on September 19, 2011. The application included the submittal of a written medical diagnosis from a physician, a copy of the disabled person placard and an initial fee of \$50 to cover the costs of field investigation, installation and future maintenance. Staff completed a site investigation. Ms. Lizarraga is within a multi-unit residential property that offers gated private parking for each individual residency. However, the parking garages are located near the alley to the north, which is an extensive distance from her unit which is at the south-west corner of

the property, near Loveland Street and Ajax Avenue. After careful review, staff recommended that the Traffic and Safety Commission approve for City Council consideration, the installation of 20 feet of blue curb which signifies "disabled persons parking" in front of Ms. Lizarraga's residence. On November 15, 2011, the Traffic and Safety Commission approved the recommendation for City Council consideration. The cost of installing the blue curb "Disabled Persons Parking" is approximately \$400 and is available in the FY 2011-2012 Street Maintenance Budget.

**Recommendation:** It is staff's recommendation that the City Council:

- 1.) Adopt Resolution No. 2011-48, establishing parking restrictions in the City of Bell Gardens in accordance with Chapter 13.20 (Parking) of the Bell Gardens Municipal Code; and
2. Authorize staff to install 20 feet of blue curb which designates "Disabled Persons Parking" at 5811 Loveland Street.

#### **11. 20 MINUTES PARKING GREEN CURB AT 6800 JABONERIA ROAD**

In accordance with the City of Bell Gardens' Municipal Code, including the integration of State of California certified Traffic Engineering practices and recommendations as needed, the City prudently strives to accommodate the public parking needs of the community. Jong S. Lee, owner of Jaboneria Market, submitted a written request for green painted curb and signage designating "20 minute" parking at 6800 Jaboneria Road. The request specified that the green curb be placed on the Lubec Street side. The business does not have on-site parking for customers. Only public parking is available on the Lubec Street side. Staff conducted a field review at various times and observed vehicles parked for extended periods of time on the Lubec Street side of the business. After careful consideration and review, staff recommended that the Traffic and Safety Commission approve for City Council consideration the installation of 20 feet of green curb designating "20 Minute Parking" at 6800 Jaboneria Road on the south side of Lubec Street. On November 15, 2011, the Traffic and Safety Commission approved the recommendation for City Council consideration. The cost of installing the green curb "20 Minute Parking" is approximately \$300 and is available in the FY 2011-2012 Street Maintenance Budget.

**Recommendation:** It is staff's recommendation that the City Council:

- 1.) Adopt Resolution No. 2011-49, establishing parking restrictions in the City of Bell Gardens in accordance with Chapter 13.20 (Parking) of the Bell Gardens Municipal Code; and
- 2.) Authorize staff to install 20 feet of green curb which designates "20 Minute Parking" at 6800 Jaboneria Road, Lubec Street side.

#### **12. NO PARKING RED CURB ON LUBEC STREET AT EL CORTEZ AVENUE**

On October 18, 2011, staff received a resident concern regarding the visibility of motorists on southbound El Cortez Avenue approaching Lubec Street. The request was for a stop sign installation. The Traffic Engineer performed a site evaluation. This is a "T" intersection with Lubec Street forming the top of the "T" and El Cortez Avenue forming the base of the "T" extending north from Lubec Street. Southbound El Cortez Avenue is presently stop controlled and Lubec Avenue is uncontrolled for east and westbound traffic. Traffic volumes on these intersecting residential streets will not satisfy the California Manual of Uniform Traffic Control Devices (MUTCD) volumes warrants for installation of all-way stop signs. However, field observations indicate that sight distance can be limited for motorists on southbound El Cortez Avenue when they stop at the designated stop sign, being able to see vehicles approaching westbound on Lubec Street due to curb side parking. Eastbound traffic is more visible due to El Cortez

Avenue being positioned at the outside of the Lubec Street curve. After careful review, staff recommended that the Traffic and Safety Commission approve for City Council consideration the installation of 40 feet of red curb which signifies "No Parking" on the north side of Lubec Street east of El Cortez Avenue beginning at the curb radius and extending east to the first driveway. On November 15, 2011, the Traffic and Safety Commission approved the recommendation for City Council consideration. Several residential properties near the intersection of Lubec Street and El Cortez Avenue who might be impacted by the potential no parking designation were notified by hand delivered notices. No residents attended the November 15, 2011 meeting to comment on the issue. The cost of installing the red curb "No Parking" is approximately \$200 and is available in the FY 2011-2012 Street Maintenance Budget.

**Recommendation:** It is staff's recommendation that the City Council:

- 1.) Adopt Resolution No. 2011-50, establishing parking restrictions in the City of Bell Gardens in accordance with Chapter 13.20 (Parking) of the Bell Gardens Municipal Code; and
- 2.) Authorize staff to install 40 feet of red curb which designates "No Parking" on Lubec Street at El Cortez Avenue.

**13. REJECTION OF SINGLE BID RECEIVED FOR THE FEDERAL SAFE ROUTES TO SCHOOL PROJECT AND AUTHORIZE TO RE-ADVERTISE THE PROJECT FOR BIDS**

On September 26, 2011, the City Council approved the Plans, Specifications and Estimate for the Federal Safe Routes to School project and authorized staff to solicit bids for the project. The project includes safety improvements to be constructed at Bell Gardens, Cesar Chavez, and Suva Elementary Schools and Bell Gardens Intermediate School. The Notice Inviting Bids was advertised in various construction industry publications, as well as the City's local newspaper on September 29, 2011 and October 13, 2011. On October 12, 2011, ten (10) contractors attended a mandatory pre-bid meeting held at City Hall to discuss the Federal requirements that need to be implemented and followed throughout the lifetime of the project by the contractor. On October 26, 2011, the City received one (1) bid proposal. It is required by Federal and City procurement policy that at least three competitive bid proposals be received from prospective bidders in order to ensure a competitive process. As a result, it is recommended that City Council reject the submitted bid proposal and authorize staff to re-advertise the project. The project expenditures are estimated at \$340,760 which includes construction and soft costs for FY 2011-2012. These costs are within the allocated budget.

**Recommendation:** It is staff's recommendation that the City Council:

- 1.) Reject bid for the Federal Safe Routes to School project; and
- 2.) Authorize staff to re-advertise/re-bid the project.

**14. AWARD A CONSTRUCTION CONTRACT FOR THE STATE SAFE ROUTES TO SCHOOL (SR2S) CYCLE 9 PROJECT**

The California Department of Transportation (Caltrans) awarded the City of Bell Gardens Cycle 9 (FY 2010-2011) Safe Routes to School (SR2S) Program Grant in the amount of \$361,680 to Bell Gardens High and Garfield Elementary. The goal of the program is to reduce injuries and fatalities to school children and encourage an increase in walking and bicycling among students. The program achieves these goals by enhancing the safety of the pathways, trails, sidewalk, and crossings. The infrastructure improvements will consist of installing zebra crosswalks, raised truncated domes, bulb-outs, pedestrian countdown signal heads, solar street lights, solar radar feedback signs, pavement

legends, markings, striping and markers. Staff advertised the Notice of Inviting Bids in various construction industry publications, as well as the City's local newspaper on September 29, 2011 and October 13, 2011. Upon receipt of four (4) bids, staff conducted a review of the bids and determined that the lowest, responsive and responsible bidder was C.T. & F., Inc. with a base bid of \$221,792.00. FY 2011-2012 budget includes \$401,900 for the implementation of this project.

**Recommendation:** It is staff's recommendation that the City Council:

- 1.) Award a construction contract to C.T. & F., Inc. in the amount of \$221,792.00 for the State Safe Routes to School (SR2S) Project;
- 2.) Authorize staff to approve any change orders for any unforeseen conditions and to include additional quantities to the project in order to maximize the utilization of the awarded grant funds.

**15. ACCEPTANCE OF THE LOCAL STREET IMPROVEMENT PROJECT**

On June 13, 2011, the City Council authorized staff to solicit bids for this project based on the plans, specifications and construction cost estimate prepared by the engineering team. The improvements consisted of cold milling existing AC pavement, overlay of an asphalt rubber hot mix, reconstruction of driveway approaches, curb and gutter, cross gutter, paint traffic striping and legend marking and traffic signal loop replacement. The project locations were as follows:

- Sudan Avenue from Florence Place to Fry Street
- Sudan Avenue from Fry Street to Live Oak Street
- Darwell Avenue from Loveland Street to Lubec Street
- Live Oak Street from Sudan Avenue to Scout Avenue
- Live Oak Street from Sudan Avenue to Emil Avenue
- Gilliland Avenue from Park Lane to Gallant Street
- Park Lane from Gilliland Avenue to Garfield Avenue

In accordance with the project specifications, Silvia Construction completed construction on October 10, 2011. The City Engineer and the Inspector have conducted a final inspection, reviewed the project documents and have determined that the project was completed satisfactorily and in conformance with the project's plans and specifications. The engineer's cost estimate was \$469,135. The total cost of construction was \$426,968, which is \$36,285 under the allocated budget.

**Recommendation:** It is staff's recommendation that the City Council:

- 1.) Accept the Local Street Improvement as complete; and
- 2.) Authorize staff to file a Notice of Completion.

**16. PROPERTY ADDRESS NUMBERING**

On October 24, 2011, the City Council authorized and instructed staff to schedule the second reading and adoption of Ordinance No. 843, amending the Bell Gardens Municipal Code Title 16 adding and enacting Section 16.60 et seq. entitled "House Numbering" requiring owners of all houses, buildings, mobile home parks and structures within the City of Bell Gardens to post property address numbers visible from the street and all adjacent public right-of-ways.

**Recommendation:** It is staff's recommendation that the City Council adopt Ordinance No. 843, amending Title 16 of the Bell Gardens Municipal Code enacting Chapter 16.60 et seq. establishing property address numbering requirements within the City.

**17. FINAL TRACT MAP NO. 63646 – 5614 CLARA STREET**

The City Council previously approved a request from the Application, Donald Jervis, involving the approval of Tentative Tract Map No. 63646. Pursuant to Article 9-6, Subdivision Regulations, the City Council adopted City Council Resolution No. 2005-30 approving Tentative Tract Map No. 63646 to allow the subdivision of one existing parcel into seven legal parcels of land for the development of seven single-family residences located at 5614 Clara Street. The purpose and intent of Article 9-6 is to regulate and control the division of land in order to promote orderly growth and development while preserving the proper use of the land and provide for adequate traffic circulation, utilities, and other services in the City. Approval of Final Tract Map No. 63646 allows the Applicant to provide home ownership as well as affordable housing units for low-to-moderate income households. Over the past few years, Staff has been working with the Applicant, Project Engineer, and the City Engineer's Office in ensuring the required accompanying data and reports are included in the Final Tract Map.

**Recommendation:** It is staff's recommendation that the City Council approve the final map and authorize the City Clerk and City Engineer to sign Final Tract Map No. 63646.

**DISCUSSION ITEMS – None**

**PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION (Three minutes per person, subject to a total period of 30 minutes)**

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**CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS**

**ADJOURNMENT**