



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, NOVEMBER 9, 2009, 6:00 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

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

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

CITY ATTORNEY'S REPORT FROM CLOSED SESSION

PRESENTATIONS

- LA EDC Most Business Friendly Award Video

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT COMMISSION ITEMS - None

CITY COUNCIL ITEMS - None

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

Any person wishing to address the City Council/Community Development Commission during the Public Comment period is asked to complete a "Speaker's Card" and submit it to the City Clerk prior to the start of the Public Comment period. This time period is reserved for items appearing on the posted Agenda only; please identify on your Speaker's Card to which item you will be speaking.

In order to conduct a timely meeting, there will be a three (3) minute time limit per person, subject to an overall thirty (30) minute public comment period. All comments are to be directed to the City Council/Community Development Commission and we ask that proper decorum be practiced during the meeting. State law prohibits the City Council/Community Development Commission from discussing any item not appearing on the posted Agenda.

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CONSENT CALENDAR (Items No. 1– 11)

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 requested 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.

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 Code Section 26934) allows Ordinances to be read by title if a majority of the legislative body supports the motion to waive the full reading.

Recommendation: Read all Ordinances by title only and waive the reading in full.

2. Minutes

October 26, 2009 – Regular Meeting Minutes

Recommendation: Approve the minutes.

COMMUNITY DEVELOPMENT COMMISSION ITEMS

3. Warrants

Warrant Register dated 10/15/09 (CK#12152-12169, \$166,659.48) for a total amount of \$166,659.48.

Recommendation: It is recommended that the Community Development Commission receive and file the warrant registers dated 10/15/09. 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

4. Warrants

Warrant Register dated 10/20/09 (CK#130349-130438, \$414,552.76) for a total amount of \$414,552.76.

Recommendation: It is recommended that the City Council receive and file the warrant registers dated 10/20/09. 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.

5. Ford Parking Lighting Upgrade Project

The current condition of the existing lighting system on the east side of Ford Park is substandard for public safety and recreational use conditions. The upgrade project will be funded through the use of \$130,000 in Community Development Block Grant (CDBG) funds and \$182,000 of Energy Efficiency and Conservation Block Grant (EECBG) funding. Funds for this project are included within the Public Works Department Capital Improvement Project budget for Fiscal Year 2009-2010.

Recommendation: It is recommended that the City Council approve the use of CDBG and Energy Efficiency and Conservation Block Grant funding for improved energy efficient lighting at the east side of Ford Park in the total amount of \$312,000.

6. Graffiti Abatement Equipment

The two current pressure washers/sandblasters used in the Graffiti Abatement program are outdated and in need of replacement. The equipment will be replaced by tools that are fuel efficient and have lighter emissions. The cost estimate, based on the lowest of three (3) bids, is \$19,000. The purchase of the equipment will be funded through the use of existing Community Development Block Grant (CDBG) funds.

Recommendation: It is recommended that the City Council approve the use of CDBG funding in the amount of \$19,000 for the purchase of two (2) new pressure washers/sandblasters to support the Graffiti Abatement Program.

7. Resolution No. 2009-39, to consider the formation of the Underground Utility District on Park Lane/Scout Avenue

In the summer of 2008, staff prepared, and Council established, an Underground Utility District (UUD) for the use of the City's reserved Rule 20A funds through Southern California Edison (SCE). The project was stalled due to project costs exceeding the available funding. In September 2009, SCE prepared a reevaluation and notified City staff that the project work can begin in 2012 and that the project area may be extended to include a full segment of Park Lane and Scout Avenue from Garfield Avenue to Clara Street. The City must again go through the UUD formation process in order to extend the limits of the District to Garfield Avenue.

Recommendation: Staff respectfully requests that the City Council 1) adopt Resolution No. 2009-39, A Resolution of the City Council of the City of Bell Gardens to consider the formation of an underground utility district No. 2009-014 on Park Lane, and 2) Set the public hearing for said UUD for November 23, 2009 and direct the City Clerk to notify affected persons as indicated in the resolution.

8. Acceptance for lease of Water Rights to City of Lynwood

In May of 2009 the City of Bell Gardens solicited bids to lease its 1,000 acre feet of excess water rights with "flex" in the Central Ground Water Basin. The City Council approved the lease of 500 acre feet to two water agencies at its July 13, 2009 Council Meeting. Staff solicited bids for the remaining 500 acre feet in August 2009. The bid proposal from the City of Lynwood, totaling \$40,500.00, consisted of leasing 300 acre feet at the rate of \$135.00 per acre foot.

Recommendation: It is recommended that the City Council accept the bid proposal from the City of Lynwood for the lease of water rights in the amount of \$40,500.00 and authorize the Mayor to execute the Water Right License and Agreement.

9. Treasurer's Report for the month of September 2009

The Treasurer's Report has been prepared and submitted for the month of September 2009.

Recommendation: It is recommended that the City Council approve the Treasurer's report for the month of September 2009.

10. Memorandum of Understanding between the City of Bell Gardens and the Bell Gardens City Employees Association, the Bell Gardens Public Works Supervisors Association and the Bell Gardens Public Works Employees Association

One-year contracts have been negotiated with the City Employees Association, the Public works Supervisors Association and the Public Works Employees Association. Staff recommends approval of the contracts.

Recommendation: It is recommended that the City Council approve 1) Resolution No. 2009-42, A Resolution of the City Council of the City of Bell Gardens, California, adopting the Memorandum of Understanding between the City of Bell Gardens and the Bell Gardens City Employees Association; 2) Resolution No. 2009-43, A Resolution of the City Council of the City of Bell Gardens, California adopting the Memorandum of Understanding between the City of Bell Gardens and the Bell Gardens Public Works Supervisors Association; and 3) Resolution No. 2009-44, A Resolution of the City Council of the City of Bell Gardens, California, adopting the Memorandum of Understanding between the City of Bell Gardens and the Bell Gardens Public Works Employees Association.

11. Consideration of Claim Rejection

We received a recommendation from our claims management company, Carl Warren & Co. to reject the claim filed by the following: Reina Marroquin – received on September 1, 2009. The claimant is alleging damage to her vehicle that occurred when driving into a new curb due to the darkness.

Recommendation: It is recommended that the Bell Gardens City Council reject the claim filed by: Reina Marroquin.

DISCUSSION ITEMS

COMMUNITY DEVELOPMENT COMMISSION ITEMS - None

CITY COUNCIL 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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Commission and we ask that proper decorum be practiced during the meeting. State law prohibits the City Council/Community Development Commission from discussing any item not appearing on the posted Agenda.

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT

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