



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING - CLOSED SESSION  
MONDAY, FEBRUARY 22, 2010, 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**

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

**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 Closed Session 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 Closed Session Agenda.

**CLOSED SESSION:**

- a. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
(Government Code section 54956.9)  
Number of potential cases: (1)**

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, FEBRUARY 22, 2010, 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**

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 REPORT FROM CLOSED SESSION**

**PRESENTATIONS** - None

**PUBLIC HEARINGS**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS (Item No. 1)**

**1. Urgency Ordinance No. 831-U (Extending Interim Urgency Ordinance No. 830-U),  
Placing a City-wide Moratorium on the Establishment and Operation of Massage  
Establishments**

On January 11, 2010, the City Council approved a 45-day urgency interim ordinance placing a city-wide moratorium on the establishment and operation of massage businesses. This moratorium allowed staff additional time to study new state regulations and their impact on the regulation of massage businesses in Bell Gardens. Pursuant to the Government Code, the City is allowed to extend the moratorium for 10 months and 15 days after a noticed public hearing and a four-fifths (4/5<sup>ths</sup>) vote of the City Council.

**Recommendation:** It is staff's recommendation that the City Council open a public hearing, receive testimony and adopt Urgency Ordinance No. 831-U, an Urgency Ordinance extending Interim Urgency Ordinance No. 830-U of the City of Bell Gardens,

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adopted pursuant to Government Code Section 65858, placing a citywide moratorium on the establishment and operation of massage establishments for an additional 10 months and 15 days.

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**CONSENT CALENDAR (Items No. 2– 9)**

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.

**2. 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:** It is staff's recommendation that the City Council/Community Development Commission read all Ordinances by title only and waive the reading in full.

**3. Minutes**

February 8, 2010 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council/Community Development Commission approve the minutes.

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**4. Warrant Registers**

**Recommendation:** It is staff's recommendation that the Community Development Commission receive and file the warrant registers dated 01/25/10 (Check #'s 12231-12234, \$7,171.72) and 02/01/10 (Check #'s 12235-12238, \$1,424.16) for a total amount of \$8,595.88. 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.

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## CITY COUNCIL ITEMS

### 5. Warrant Registers

**Recommendation:** It is staff's recommendation that the City Council receive and file the warrant registers dated 01/25/10 (Check #'s 131423-131506, \$976,879.80 & Wire Transfer 760-761, \$98,380.81) and 02/01/10 (Check #'s 131507-131573, \$333,582.94 & Wire Transfer 762 and Payroll, \$397,545.33) for a total amount of \$1,806,388.88. 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.

### 6. Appropriation of Asset Forfeiture Funds for Purchase of Police Department Vehicles

The Police Department has identified an urgent need for vehicles, both marked (black and white patrol) and unmarked (detective). Eight (8) Dodge Chargers (4 black and white and 4 unmarked) will be purchased for a total amount of \$237,735.00 from McPeck Dodge of Anaheim. The Department is also requesting waiver of the formal bid process as the purchase will be made using existing contracts from the Los Angeles Police Department and the Twin Rivers Unified School District. Funds are available in the Fiscal Year 2009-2010 Asset Forfeiture Fund.

**Recommendation:** It is staff's recommendation that the City Council waive the formal bid process and adopt Resolution No. 2010-05, a Resolution of the City Council of the City of Bell Gardens appropriating \$273,735.00 in Asset Forfeiture Funds for the purchase of nine (9) Dodge Charger Police vehicles from McPeck Dodge of Anaheim.

### 7. Declaration of City Vehicles as Surplus Equipment

The Police, Public Works, and Recreation and Community Services Department each have vehicles in advanced stages of deterioration. This has rendered the vehicles as cost prohibitive to maintain. The vehicles must be declared "surplus equipment" pursuant to the Bell Gardens Municipal Code prior to authorization for sale at auction. Ken Porter Auctions is the City's vendor for auction services and it is estimated that the City will receive \$4,000 to \$6,000 for the combined sale of these vehicles.

**Recommendation:** It is staff's recommendation that the City Council authorize the Police Department to surplus the City vehicles listed in the agenda report and sell them at auction using Ken Porter Auctions.

**8. Vehicle Purchase Utilizing Air Quality Management District Funds**

The Public Works Department requests use of Fiscal Year 2009-2010 Air Quality Management District AB 2766 funds in the amount of \$86,901.00 to purchase 3 low-emissions vehicles to replace 3 gross-polluting vehicles from the City's existing fleet. The City received three (3) bids, of which the lowest was received from Pacific Ford.

**Recommendation:** It is staff's recommendation that the City Council approve the purchase of three (3) 2010 Ford Escape Hybrids from Pacific Ford in an amount totaling \$86,901.00 using existing Air Quality Management District (AQMD) AB 2766 funds.

**9. On-Street Handicap Parking Installation at 6122 Agra Street.**

In accordance with the Bell Gardens Municipal Code, installation of on-street handicapped parking is allowed when the proposed location is feasible, cost effective, and there are no off-street parking options available. Ms. Irma Ramirez, 6122 Agra Street, submitted a written request for the installation of handicap parking on behalf of her parents, both of whom are physically challenged. The request met the Department's review and inspection requirements and the Traffic and Safety Commission approved the request upon the City Attorney's review of liability issues. The item now comes before the City Council for their review and approval.

**Recommendation:** It is staff's recommendation that the City Council 1) adopt Parking Resolution No. 2010-04, a Resolution of the City Council of the City of Bell Gardens establishing parking restrictions in the City of Bell Gardens, and 2) authorize staff to install 37 feet of blue handicap curb at 6122 Agra Street.

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

**ADJOURNMENT**