



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING - CLOSED SESSION  
MONDAY, MARCH 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 – PENDING LITIGATION**  
(Government Code section 54956.9)  
*Los Angeles Unified School District v. The County of Los Angeles et al.*  
(Case No. B213703)
  
- b. CONFERENCE WITH LEGAL COUNSEL – ANITICIPATED LITIGATION**  
(Government Code section 54956.9)  
Number of potential cases: (1)



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING  
MONDAY, MARCH 22, 2010, 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

**PRESENTATIONS**

- Recognition of 2010 Miss Bell Gardens' Queen and Her Court
- Recognition of Candace Rojas, Miss Los Angeles County
- City of Bell Gardens Census Activities Presentation

**PUBLIC HEARINGS - None**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS**

**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 CITY COUNCIL/COMMISSION AGENDA ONLY. Submit a WHITE public comment card with the 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.

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

## **CONSENT CALENDAR (Items No. 1 – 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 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.

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

### **2. MINUTES**

March 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**

### **3. WARRANT REGISTERS**

**Recommendation:** It is staff's recommendation that the Community Development Commission receive and file the warrant registers dated 03-01-10 (Check #'s 12252-12257, \$172,332.46) in the total amount of \$172,332.46. 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. CORRIDOR REVITALIZATION PROGRAM – REVIEW OF PROGRAM SITE**

The Corridor Revitalization Program provides financial assistance to properties along corridors within the City for the purpose of enhancing their visual attractiveness, facilitating growth, and generating economic stability. The ACE Trailer Park at 6508 Florence Place will receive exterior fence improvements at a cost of \$10,120.00. The approved Fiscal Year 2009-2010 budget has available funds for this project.

**Recommendation:** It is staff's recommendation that the City Council, serving as the Community Development Commission, approve the scope of work and funding of \$10,120.00 for exterior improvements to the ACE Trailer Park located at 6508 Florence Place.

## CITY COUNCIL ITEMS

### 5. WARRANT REGISTERS

**Recommendation:** It is staff's recommendation that the City Council receive and file the warrant registers dated 02/22/10 (Check #'s 131800, \$300.00), 03/01/10 (Check #'s 131801-131888, \$297,136.75), 03/02/10 (Check #'s 131889-131891, \$774.55) and Wire Transfers dated 02/25/10 (Wires 765-766 & Payroll, \$543,528.83) in a total amount of \$841,740.13. 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. COMMERCIAL WASTE FRANCHISE AGREEMENT (NON-EXCLUSIVE)

In June 2007, the City approved Non-exclusive franchises to seven (7) solid waste firms (haulers) for the purpose of providing commercial/multi-family/industrial solid waste services within Bell Gardens. These agreements expire on June 30, 2010 and all 7 haulers have submitted letters requesting an allowable 5-year agreement extension. City staff has determined that all existing haulers have met current agreement terms and have assisted the City in maintaining State requirements for AB 939 waste "diversion." All haulers are amenable to the City's proposed increase in the franchise fee (raised to 15% from 10%). The proposed franchise fee increases will go towards funding programs in areas such as the City's State mandated compliance requirements for recycling and stormwater management. In addition to the franchise fees, which are based on a percentage of the monthly gross receipts, it is estimated that the application and renewal fees will generate approximately \$105,000.00 over the next 5 years.

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

- 1) Approve RESOLUTION NO. 2010, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS ESTABLISHING FRANCHISE FEES FOR THE COLLECTION AND DISPOSAL OF MULTI-FAMILY, COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL SOLID WASTE AND RECYCLABLE MATERIAL, and
- 2) Approve five-year Non-Exclusive Franchise Agreements (to include increased franchise fees of 15%) for the collection and disposal of commercial solid waste and recycled material with the seven (7) current haulers: AAA Disposal, Inc., Athens Disposal, Cal/Met Services, Inc., Haul-Away Rubbish, United Pacific Waste, Universal Waste Systems, and Waste Management.

### 7. PURCHASE OF VEHICLES UTILIZING AIR QUALITY MANAGEMENT DISTRICT (AQMD) AB 2766 FUNDS

The City receives AB 2766 funds to implement programs that reduce air pollution from motor vehicles. The funds are restricted in use and can only be utilized on Air Quality Management District (AQMD) qualified expenditures. Staff has proposed the purchase of three (3) AQMD-approved low-emission vehicles to replace three (3) gross-polluting

vehicles in the City's fleet. This item is returning to the agenda in order to ensure that all associated purchase fees are included in the Council's action. The Fiscal Year 2009-2010 approved budget includes AQMD AB 2766 funding for the entire purchase.

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

- 1) Rescind the Council's February 22, 2009 motion approving the purchase of vehicles from Pacific Ford in the amount of \$86,901.00, and
- 2) Approve the use of Fiscal Year 2009-2010 AQMD AB 2766 funds for the purchase of three (3) low emissions AQMD-approved Ford Escape Hybrid vehicles to replace three (3) gross-polluting vehicles from the City's current fleet, and
- 2) Authorize staff to negotiate the lowest total responsible price (including all tax and applicable fees), not to exceed \$97,500.00, with the three (3) existing bidders: Pacific Ford, Ford of Montebello, and Star Ford.

**8. NOMINATION AND APPOINTMENT OF EDUCATION COMMISSIONER TO FILL VACANCY (RODRIGUEZ)**

Education Commissioner Ignacio Gonzales (nominated by Mayor Pro Tem Rodriguez) has resigned from the Commission due to relocation outside of Bell Gardens. In accordance with Bell Gardens Municipal Code Section 2.68, Mayor Pro Tem Rodriguez is nominating Mr. Luis Arias to fill the unexpired term on the Education Commission.

**Recommendation:** It is staff's recommendation that the City Council accept the resignation of Education Commissioner Ignacio Gonzales, and accept and approve Mayor Pro Tem Rodriguez' nomination of Luis Arias to fill the unexpired term.

**9. UNITED STATES CENSUS OUTREACH PROGRAM FUNDING**

The County of Los Angeles created small grant opportunities for cities and organizations to support a focused 2010 U.S. Census count outreach campaign targeting "hard-to-count" populations. The grants were awarded through a competitive process in which the City of Bell Gardens won two (2) different grant allocations. A category of the funding will be used for marketing and outreach (purchase of large outdoor banners advertising the upcoming 2010 Census and public service announcement newsletters). A second category of funding will be administered by the Bell Gardens Youth Program and used to support a soccer tournament on Sunday, March 21<sup>st</sup> from 10:00 a.m. to 2:00 p.m. The funds will support the event by providing a stage for live entertainment, sound, and promotional items to be raffled and given away.

**Recommendation:** It is recommended that the City Council:

- 1) Adopt Resolution No. 2010-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA APPROVING THE COUNTY OF LOS ANGELES DELEGATED AUTHORITY AGREEMENT FOR THE UNITED STATES CENSUS HARD-TO-COUNT OUTREACH SERVICES BY AND BETWEEN THE CITY OF BELL GARDENS AND THE COUNTY OF LOS ANGELES, and
- 2) Accept grant funds in the amount of \$24,500 for the 2010 U.S. Census "Hard-to-Count" outreach activities.

## **DISCUSSION ITEMS (Item No. 10)**

### **COMMUNITY DEVELOPMENT/CITY COUNCIL ITEMS**

#### **10. FISCAL YEAR 2009-2010 MID-YEAR BUDGET FINANCIAL REPORT**

The Fiscal Year 2009-2010 Mid-Year Budget Financial Report provides the Council an opportunity to review and adjust, if necessary, the original revenue projections and expenditure estimates after six (6) months of fiscal activity. Staff is proposing reductions in General Fund revenues and expenditures, a reallocation of CDBG funds, and an increase in the Water Fund expenditures. The City continues to maintain a balanced budget for the current fiscal year.

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

- 1) Accept the Fiscal Year 2009-2010 Mid-Year Budget Report, and
- 2) Approve amendments to the General Fund (decreased revenues of \$702,538, decreased expenditures of \$799,277), Community Development Block Grant Fund (decreased expenditures of \$90,004), and Water Fund (increased expenditures of \$370,000), and
- 3) Memorialize these amendments by adoption of RESOLUTION NO. 2010-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS, CALIFORNIA AMENDING THE FISCAL YEAR 2009-10 OPERATING AND CAPITAL IMPROVEMENT BUDGET

#### **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)**

This public comment period is for items UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/COMMISSION ONLY. Submit a PINK public comment card with the matter you would like to discuss to the City Clerk prior to the start of this 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.

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

#### **ADJOURNMENT**