



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING - CLOSED SESSION  
MONDAY, APRIL 26, 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)**

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. **PUBLIC EMPLOYEE EMPLOYMENT  
(Government Code Section 54957)  
Title: Chief of Police**
  
- b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
(Government Code Section 54956.9(b))  
Number of potential cases: Two (2)**



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING  
MONDAY, APRIL 26, 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 - None**

**CITY ATTORNEY REPORT FROM CLOSED SESSION**

**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.

**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**

April 12, 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 AND WIRE TRANSFERS**

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

Warrant Registers	03-30-10 (Check #'s 12270 - 12272)	\$1,451.96
Warrant Registers	04-05-10 (Check # 12273)	<u>\$22.96</u>
	Total	\$1,474.92

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. WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant Registers	03-30-10 (Check #'s 132179 - 132241)	\$390,140.58
Wire Transfers	03-25-10 (Wire’s 769-770 & Payroll)	\$448,591.23
Warrant Registers	04-05-10 (Check #'s 132242 - 132330)	<u>\$396,181.16</u>
	Total	\$1,234,912.97

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

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

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. AWARD OF CONSTRUCTION CONTRACT FOR PHASE II TRUCK IMPACTED INTERSECTION IMPROVEMENT PROJECT**

On June 22, 2009, the City Council approved a cooperative agreement with the Gateway Cities Council of Governments for construction of the Phase II Truck-Impacted Intersection Improvement Project. The project consists of replacing existing traffic controller assemblies, pedestrian indications, pedestrian pushbuttons, safety lighting, pertinent striping and marking changes for the intersections of Ajax Avenue and Florence Avenue and Jaboneria Avenue and Florence Avenue. The Notice inviting bids was advertised on March 11, 2010 and the bid opening was held on March 31, 2010. A total of seven (7) bids were received and California Professional Engineering, Inc. was determined to be the lowest responsive and responsible bidder.

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

- 1) Award a construction contract in the amount of \$208,608.00 to California Professional Engineering, Inc. for the Phase II Truck Impacted Intersection Improvement Project; and
- 2) Authorize staff to issue change orders up to fifteen percent (15%) of the contract award during the course of the project in order to maximize the Gateway Cities Council of Government's grant funding for this project.

**6. 10-DAY REPORT FOR URGENCY ORDINANCE NO. 824-U, MEDICAL MARIJUANA DISPENSARIES MORATORIUM**

Pursuant to Government Code Section 65858(d), staff shall prepare, and the City Council shall receive and file a written report describing the measures taken to alleviate the conditions which led to the adoption of Urgency Ordinance No. 824-U, at least ten (10) days prior to the expiration of the moratorium or any extension. Urgency Ordinance No. 824-U was adopted by the City Council on July 13, 2009.

**Recommendation:** It is staff's recommendation that the City Council receive and file this report pursuant to Government Code Section 65858(d) describing measures taken by the City to alleviate conditions that led to the adoption of Interim Urgency Ordinance No. 824-U Medical Marijuana Dispensaries Moratorium.

**7. TREASURER'S REPORT – MARCH 2010**

The Treasurer's Report has been prepared and submitted for the month of March 2010.

**Recommendation:** It is staff's recommendation that the City Council receive, approve, and file the Treasurer's Report for the month of March 2010.

**8. AMENDMENT TO THE RULES OF DECORUM AND RULES OF ORDER AT CITY COUNCIL MEETINGS**

Resolution No. 98-25 sets forth the City's "Rules of Decorum and Rules of Order for the Conduct of City Council Meetings." The City has substantial government interest in ensuring that City business is conducted in an efficient and orderly manner. The proposed amendments to the Rules of Decorum are lawful content neutral "time, place, and manner" restrictions aimed at allowing greater and more orderly access to City Council meetings by all members of the public. Tonight's proposed amendments include

defining the appropriate use of signs, noise and amplification thereof, and memorializing the correct time allotted to each speaker.

**Recommendation:** It is staff's recommendation that the City Council approve Resolution No. 2010-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS AMENDING THE RULES OF DECORUM AND RULES OF ORDER FOR THE CONDUCT OF CITY COUNCIL MEETINGS.

**9. MEMORIALIZATION OF APPROPRIATION OF FISCAL YEAR 2009-2010 ASSET FORFEITURE FUNDS FOR THE PURCHASE OF POLICE VEHICLES**

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

- 1) Adopt Resolution No. 2010-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS APPROPRIATING ASSET FORFEITURE FUNDS FOR USE BY THE POLICE DEPARTMENT TO PURCHASE VEHICLES; and
- 2) Approve \$231,096.58 in Fiscal Year 2009-2010 Asset Forfeiture Funds as itemized below:
  - a) Authorize the purchase of six (6) V-8 Ford Crown Victoria black and white police vehicles from Wondries Fleet Group of Alhambra for a total purchase price of \$145,844.40 for use by the Patrol Division (cost includes purchase, tax, and tire fees); and
  - b) Authorize the conversion work of transferring all equipment from the old units to the six (6) new Ford Crown Victoria black and white police vehicles by 10-8 Retrofit, Inc. for a total price of \$9,811.86; and
  - c) Authorize the pre-payment lease purchase of four (4) used 2010 Chevrolet Impala sedans from Enterprise Leasing Corporation, for a total purchase price of \$75,440.32 for use by the General Investigations Unit (cost includes prepayment, tax, and license)

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

**COMMUNITY DEVELOPMENT ITEMS – None**

**CITY COUNCIL ITEMS**

**10. APPOINTMENT OF DELEGATE AND ALTERNATE TO ATTEND SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENT'S GENERAL ASSEMBLY, MAY 5 – 7, 2010**

The Southern California Association of Governments (SCAG) will host their General Assembly on May 5, 2010, in La Quinta, California. The current SCAG delegate is Priscilla Flores and alternate is Daniel Crespo. Tonight would be the appropriate night to take action if the Council would like to consider making any changes to the delegate and alternate for the purposes of attendance at the 2010 SCAG General Assembly.

**Recommendation:** It is staff's recommendation that the City Council determine whether any of their members will be attending the 2010 SCAG General Assembly May 5 – 7, 2010, and make changes to the delegate and alternate, if necessary.

**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**