



**CITY OF BELL GARDENS**  
**CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION**  
**REGULAR MEETING - CLOSED SESSION**  
**MONDAY, JUNE 14, 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. Conference with Labor Negotiators  
(Government Code Section 54957.6)  
Agency Negotiators – G. Steve Simonian, Phil Wagner, Kim Krause, Mary Bradley  
Employee Organizations – Bell Gardens City Employee Association, Department Directors, Bell Gardens Public Works Association, and the Bell Gardens Public Works Supervisors
  
- b. Public Employee Evaluation  
(Government Code section 54957)  
Title: City Manager



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING  
MONDAY, JUNE 14, 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

**CITY ATTORNEY/AGENCY COUNCIL REPORT FROM CLOSED SESSION**

**PRESENTATIONS**

- Certificate of Recognition to Isabel Puentes, 20 years of service
- Certificate of Recognition – Montebello Unified School District Teachers
- Certificate of Recognition- Seven City Hustle Skate Park Winner

**PUBLIC HEARINGS**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS**

**1. PACIFIC PIPELINE SYSTEM FRANCHISE AGREEMENT RENEWAL – PUBLIC HEARING FOR ORDINANCE NO. 834**

On June 13, 1983, the Bell Gardens City Council adopted Franchise Ordinance No. 462 granting ARCO Pipe Line Company (formerly Four Corners Pipe Line) a franchise to construct, operate, and maintain pipelines for the transportation of hydrocarbon substances in the City. On June 10, 2000, the City consented to the transfer of Ordinance No. 462 from ARCO to Pacific Pipe Line System (PPS) LLC. That transferred franchise has now expired. PPS wishes to renew the Franchise Agreements for an additional 25-year term which will include a 5-year extension.

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

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

- 1). Open the Public Hearing, receive public testimony and any protests to determine their sufficiency, and
- 2) Introduce by title only, waiving full reading, Ordinance No. 834, An Ordinance of the City Council of the City of Bell Gardens Granting and Oil Pipeline Franchise to Pacific Pipeline System Inc., and
- 3) Schedule second reading of the Ordinance for adoption

**2. CONSIDERATION OF PARTICIPATION IN THE LOS ANGELES COUNTY ENERGY PROGRAM**

The Los Angeles County Energy Program will allow local governments to provide financing to qualified property owners for the installation of energy and water efficiency improvements that are permanently fixed to their respective properties. Participating property owners repay the cost of the improvements through an assessment levied against their property which is payable in semi-annual installments on property tax bills.

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

- 1). Open the Public Hearing and receive public testimony; and
- 2) Adopt Resolution No. 2010-24, A Resolution of the City Council of the City of Bell Gardens, California consenting to inclusion of properties within the incorporated area of the City in the Los Angeles County Energy Program to finance distributed generation renewable energy sources and energy and water efficiency improvements, approving the report setting forth the parameters of the referenced program and certain matters in connection therewith.

**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. 3 - 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.

**3. 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.

**4. MINUTES**

April 27, 2010 – Special Reorganization Meeting Minutes  
 May 10, 2010 – Regular Meeting Minutes

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

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**5. WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant Registers	04/29/10 (Check #'s 12283)	\$587.25
Warrant Registers	05/03/10 (Check #'s 12284 - 12285)	\$487.06
Warrant Registers	05/10/10 (Check #'s 12286 - 12290)	\$1,274,101.92
Warrant Registers	05/03/10 (Check #'s 12291 - 12297)	\$68,294.40
Warrant Registers	05/24/10 (Check #'s 12298 - 12304)	\$19,328.94
	Total	\$1,362,799.57

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**

**6. WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant Registers	04/29/10 (Check #'s 132493 - 132584)	\$469,376.81
Wire Transfers	04/29/10 (Wire's 773-774 & payroll)	\$458,053.40
Warrant Registers	05/03/10 (Check #'s 132585 - 132652)	\$258,287.51
Warrant Registers	05/10/10 (Check #'s 1325653 - 132741)	\$702,767.13
Wire Transfers	05/10/10 (Wire's 776-777 & payroll)	\$481,213.84
Warrant Registers	05/12/10 (Check #'s 132742)	\$698.60
Warrant Registers	05/12/10 (Check #'s 132743 - 132744)	\$397.88
Warrant Registers	05/17/10 (Check #'s 132745 - 132814)	\$269,623.50
Warrant Registers	05/24/10 (Check #'s 132815 - 132907)	\$261,857.64
Wire Transfers	05/24/10 (Wires #'s 775 & 778 & payroll)	\$477,835.40
	Total	\$3,380,111.71

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

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

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. MANDATED BIENNIEL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE**

The Political Reform Act (Government Code Section 87306.5) requires every local government agency to review its Conflict of Interest Code (Code) biennially. The City Council is the code reviewing body for the City of Bell Gardens and the Community Development Commission. No later than July 1 of each even-numbered year, the Council must notify staff to review its Code. If amendments are necessary, staff will return with a report to Council no later than October 1, 2010.

**Recommendation:** It is staff's recommendation that the City Council direct staff to review the City's Conflict of Interest Code (Resolution No. 2008-44) and submit, no later than October 1, 2010, a notice indicating whether amendments are necessary.

**8. AUTHORIZATION OF PLANS AND SPECIFICATIONS AND SOLICITATION OF BIDS FOR THE FORD PARK LIGHTING PROJECT**

On March 26, 2009, the U.S. Department of Energy released the guidance and eligible city allocations for the Energy Efficient and Conservation Block Grant (EECBG). This program is funded through the ARRA. The City of Bell Gardens allocation was \$120,000. The Fiscal Year Capital Improvement Program includes \$120,000 of EECBG funds and \$130,000 of CDBG funds for the Ford Park Lighting Project. The project consists of new lights with new footings, poles, light fixtures, conduit and wiring.

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

- 1) Approve the plans and specifications for the new lighting system for Ford Park; and
- 2) Authorize staff to solicit bids for the construction of this project.

**9. USED OIL PAYMENT PROGRAM**

The California Public Resources Code (PRC) Section 48601 et seq. describes the California Oil Recycling Enhancement Act (Act) which provides up to \$11 million annually in payments to local governments for the implementation of local used oil and filter collection programs. The new Used Oil Payment Program (OPP), authorized by SB 546, is designed to streamline administrative requirements within a fiscally sound framework. As a result, all local agencies are required to submit an adoption resolution that authorizes the submittal of OPP applications and identifies the name of the job title authorized to sign on behalf of the City. The City receives approximately \$11,000 annually based on population for establishing and maintaining local used oil collection programs that encourage recycling or appropriate disposal of used oil.

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

- 1) Approve Resolution No. 2010-21, A Resolution of the City Council of the City of Bell Gardens authorizing the submittal of the Used Oil Payment Program (OPP) application and authorizing designee to execute all documents with CALRecycle

**10. CONSIDERATION OF GREEN CURB AT 6334 CLARA STREET**

Business owners Luis Alberto Perez and Adam Frljuckic of Industrial Machining and Repair, submitted a letter to the Public Works Department requesting green curb parking in front of their business (6334 Clara Street). The written request notes that employees of neighboring businesses are utilizing the street in front of their building for all-day parking. After conducting field reviews at various times, staff determined the request for

green curb (20 minute parking) is valid. The request was presented to the Traffic and Safety Commission on May 4, 2010 and was approved for City Council consideration.

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

- 1) Approve Resolution No. 2010-17, 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 20 feet of green curb with signifiers "20 minute parking" at 6334 Clara Street

**11. CONSIDERATION OF LOS ANGELES COUNTY GRANT APPLICATION FOR JOHN ANSON FORD PARK FIELD FIVE RENOVATION PROJECT**

The Honorable Supervisor Gloria Molina has made available \$159,000 in excess grant funds to the City of Bell Gardens. These funds have been allocated to the John Anson Ford Park Field Five Renovation Project. In order to receive funds, the City is required to approve a Resolution affirming the action.

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

- 1) Approve Resolution No. 2010-13, A Resolution of the Bell Gardens City Council approving the application for grant funds from the Los Angeles County Regional Park and Open Space District for Proposition "A" Cities excess funds for the Ford Park Field Five Improvement Project

**12. APPROVAL OF FIREWORKS STANDS PERMITS**

Pursuant to Bell Gardens Municipal Code (Code) Section 16.40, no person shall sell fireworks within the City without first having applied for and received a permit in compliance with the terms set forth in the Code. Permits are issued only to non-profit associations or corporations organized primarily for veteran, patriotic, welfare, civic betterment, or charitable purposes which: 1) have a principal and permanent meeting place in the City; and 2) have been organized and established in the area within the City for a minimum of two years continuously preceding the filing of the application; and 3) have a bona fide membership of at least twenty members.

**Recommendation:** It is staff's recommendation that the City Council approve the 11 applications from organizations seeking to operate fireworks stands within the City limits from June 28, 2010, 12 noon, through July 6, 2010, 12 noon.

**13. APPROVAL OF FINAL PARCEL MAP NO. 70907 – CONSOLIDATION OF EXISTING LOTS**

On January 21, 2009, the Planning Commission held a public hearing to consider a request from the applicant involving the approval of Tentative Parcel Map No. 70907. The Planning Commission adopted Planning Commission Resolution #PC 2009-02, conditionally approving Tentative Parcel Map 70907 to allow the consolidation of two existing lots into one legal parcel of land to allow the construction of a new 4,429 square foot multiple tenant commercial building consisting of five individual suites located at 6048 Florence Avenue.

**Recommendation:** It is staff's recommendation that the City Council approve Final Parcel Map No. 70907 and authorize the City Clerk and City Engineer to execute the document.

**14. AUTHORIZATION TO AWARD CONTRACT FOR WORKFORCE HOUSING GRANT PROJECT PHASE II TO REHABILITATE 6911 – 6913 ½ EMIL AVENUE**

The Emil rehabilitation project will allow exterior improvements to the units on the site. On May 10, 2010, the City Council voted to award a contract to Hi-Tek Building Inc., the

lowest and most responsible bidder. Unfortunately, Hi-Tek Building Inc. was unable to produce the "Faithful Performance Bond" and the "Labor and Material Bond" that is required of the awarding contractor. As such, staff has been working with the second lowest and most responsible bidder, Inno Construction Inc. They have submitted all required bonds and have received high recommendations from their references.

**Recommendation:** It is staff's recommendation that the City Council award a contract for the Workforce Housing Grant project to rehabilitate 6911 – 6913 ½ Emil Avenue to Inno Construction Inc., in the amount of \$28,000, and authorize the Mayor to sign the "Contract Agreement" and "General Conditions."

**15. PROMOTING CLEAN AND ENERGY EFFICIENT MOTOR VEHICLES BY ADOPTION OF RESOLUTION NO. 2010-09**

The State of California is experiencing a public health crisis due to poor air quality caused by greenhouse gases and other pollutants. Due to the health crisis, the American Lung Association has requested the support from our City in promoting clean car technology which will reduce emissions and provide healthier air quality. By adopting the Resolution, it will urge the State of California to move forward quickly and expand the use of Low Emission vehicles.

**Recommendation:** It is staff's recommendation that the City Council adopt Resolution No. 2010-19, Resolution of the City Council of the City of Bell Gardens supporting the California Air Resources Board's Leadership in Promoting Clean and Energy Efficient Motor Vehicles, Energy Independence, Zero Emission Technologies, and Improved Quality of Life in California.

**16. COPIER/PRINTER LEASE AND SERVICE AGREEMENT**

The proposed agreement includes the leasing of copiers/printers, technical support, service and maintenance, and security software. By agreeing to the proposal with Ikon/Ricoh, the City would realize a savings of approximately \$35,000 per year over the current contract for leasing and servicing of copiers/printers, which is approximately a 40% reduction in copier/printer expenses.

**Recommendation:** It is staff's recommendation that the City Council approve the proposal from Ikon/Ricoh for leasing and servicing copiers/printers.

**17. TREASURER'S REPORT – APRIL 2010**

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

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

**DISCUSSION ITEMS (Item No. 18)**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS**

**18. ADOPTION OF FISCAL YEAR 2010/2011 OPERATING AND CAPITAL IMPROVEMENT BUDGETS AND COMPENSATION PLAN AND ESTABLISHMENT OF THE APPROPRIATIONS LIMITS FOR FISCAL YEAR 2010/2011**

The City of Bell Gardens adopts an annual budget consisting of proposed revenues and expenditures. In addition, the California State Constitution requires the City to calculate the annual appropriations limit.

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

- 1) Adopt Resolution No. 2010-18, A Resolution of the City Council of the City of Bell Gardens, California, adopting the 2010-2011 annual budget and establishing employee classifications and compensation for all positions as of July 1, 2010; and
- 2) Adopt Resolution No. 2010-20, A Resolution of the City Council of Bell Gardens, California establishing the appropriations limit for Fiscal Year 2010-2011

**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**