



CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, JUNE 8, 2009, 6:00 P.M.
AGENDA

LOCATION: CITY COUNCIL CHAMBER, 7100 S. 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) 806-7705. 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 the 2009 34th Congressional District Student Art Competition Winners
- \$1,000 donation to the American Cancer Society
- Oath of Office Ceremony – Interim Chief of Police Robert P. Curtis

PUBLIC HEARINGS (Items No. 1-2)

COMMUNITY DEVELOPMENT COMMISSION ITEMS

CITY COUNCIL ITEMS

1. Introduction of Ordinance No. 822 – Amendment to existing Ordinance No. 590 Water Conservation Program

The Governor and other State Officials have recently declared an emergency drought condition for the State due to shortages in available water supplies. The Metropolitan Water District of Southern California (MWD), prepared as of January 22, 2009, a Model Water Conservation Ordinance for adoption of those by those entities that use MWD imported water. In order to be eligible for MWD funding, cities need to update their existing Water Conservation Ordinances to that of the MWD Model Ordinance or its equivalent by July 1, 2009.

Recommendation: It is recommended that the City Council open a Public Hearing and introduce Ordinance No. 822, An Ordinance of the City of Bell Gardens establishing a Water Conservation and Water Supply Shortage Program and Regulations, amending

Bell Gardens' Municipal Code Chapter 11.03, Water Conservation Plan, to be read by title only and waive full reading.

2. Adoption of Urgency Ordinance No. 823-U Medical Marijuana Dispensaries Moratorium

During the past year, City staff has received an increasing number of inquiries from members of the public regarding the possibility of establishing and operating medical marijuana dispensaries within the City. However, the Bell Gardens Municipal Code, including the Zoning Ordinance, does not address or regulate in any manner the existence or location of medical marijuana dispensaries. Thus, an issue has now arisen how the City should regulate medical marijuana dispensaries, including where to allow facilities to operate within the City, if at all.

Recommendation: It is recommended that the City Council open a public hearing and adopt Ordinance No. 823: An Interim Ordinance of the City Council of the City of Bell Gardens declaring and imposing a citywide moratorium on the establishment and operation of medical marijuana dispensaries for forty-five (45) days, to be read by title only and to waive full reading.

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.

CONSENT CALENDAR (Items No 3 – 13)

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.

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

4. Minutes

May 11, 2009 – Regular Meeting Minutes

Recommendation: Approve the minutes

COMMUNITY DEVELOPMENT COMMISSION ITEMS

5. Warrants

Warrant Registers dated 5/07/09 (CK#12044-12049, \$6,465.70), Warrant Registers dated 5/21/09 (CK#12056-12059, \$32,608.80) for a total amount of \$39,074.50.

Warrant Register dated 5/25/09 (CK#12050-12055, \$3,144.21), Warrant Register dated 6/08/09 (CK#12060-12065, \$7,044.29), for a total amount of \$10,188.50.

Recommendation: Approve the warrants

CITY COUNCIL ITEMS

6. Warrants

Warrant Registers dated 4/30/09 (CK#128570-128572, \$228,932.68), Warrant Registers dated 5/07/09 (CK#128573-128621, \$418,976.00), Wire Transfer dated 5/07/09 (CK#724-725, \$454,673.73), Warrant Registers dated 5/21/09 (CK#128709-128766, \$390,590.22) Wire Transfer dated 5/21/09 (CK#726-727, \$449,758.52) for a total amount of \$1,942,931.15.

Warrant Registers dated 5/25/09 (CK#128622-128708, \$511,597.77), Warrant Registers dated 6/08/09 (CK#128767-128843, \$140,900.07) for a total amount of \$652,497.84.

Recommendation: Approve the warrants

7. Approval of Fireworks Stand 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; 2) have been organized and established in the area within the City for minimum of two years continuously preceding the filing of the application, and 3) have a bona fide membership of at least twenty (20) members.

Recommendation: It is recommended that the City Council approve all applications seeking to operate fireworks stands within the City limits.

8. Community Redevelopment Law Disclosure Requirements

Recommendation: Receive and file the disclosures from designated employees pursuant to Section 33130 of the Health and Safety Code.

9. Uniform Schedule of Fees

Staff has recently completed a city-wide fee analysis with the goal of recovering the partial costs of providing certain programs and services. Findings indicated, in some areas, the City does not charge fees which results in the City absorbing the total cost. In order to continue to provide certain programs and services in a fiscally responsible manner, staff has proposed or adjusted fees that will recover a portion of the costs. Additionally, in order to continue to offer youth programs at an affordable rate to residents, youth program fees were excluded from the uniform schedule of fees and not recommended for adjustment.

Recommendation: It is recommended that the City Council approve this proposal from staff for a uniform schedule of fees, by adopting Resolution No. 2009-11, A Resolution of the City Council of the City of Bell Gardens, California adopting a uniform schedule of fees.

10. AB1234 Conference Reports

Recommendation: Pursuant to the requirements of AB 1234, a report is required by any elected official attending a conference or seminar at the City's expense. It is recommended that the City Council receive and file this report.

11. Resolution Allowing the City Manager and Assistant City Manager to Approve Warrants

The City Manager recommends that the City Council authorize the approval of claims for payment without the issuance of a warrant and that the City Manager and the Assistant City Manager be authority to the custodian of the funds to pay the claims by check or electronic transfer. This resolution will assist the City conduct its business more efficiently and in the public interest as it will facilitate the timely payment of demands made upon the City and avoid late fees and unnecessary penalties.

Recommendation: It is recommended that the City Council adopt Resolution 2009-15, A Resolution of the City Council of the City of Bell Gardens allowing the City Manager and Assistant City Manager to approve warrants.

12. Treasurer's Report for the month of April 2009

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

Recommendation: It is recommended that the Treasurer's Report be approved.

13. Acceptance for the John Anson Ford Park Community Building Renovation CDBG# 601040-07

On October 13, 2008 the City Council awarded a contract to DLE Construction in the amount of \$374,083 for the construction of the John Anson Ford Park Community Building Renovation. The Project improvements included the renovation of existing community center restrooms, locker rooms and offices. The City Engineer has conducted the final inspection, reviewed the project documents and has determined that the project was completed satisfactorily and in conformance with the project's plans and specifications.

Recommendation: It is recommended that the City Council by motion, accept the project as completed and authorize staff to process the Notice of Completion.

DISCUSSION ITEMS

COMMUNITY DEVELOPMENT COMMISSION ITEMS - None

CITY COUNCIL ITEMS – (Item No. 14)

14. Commission Appointment

The City Council makes appointments to fill seats on the City's five (5) Commissions.

Recommendation: Review applications, make nominations, and approve appointments to the Education Commission, Planning Commission, Recreation, Youth and Cultural Commission, Senior Commission, and Traffic and Safety Commission.

**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