



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING - CLOSED SESSION
MONDAY, JULY 13, 2009, 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)

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CLOSED SESSION:

**a. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.9)**

Agency Negotiators – Richard Kreisler, G. Steve Simonian, Phil Wagner
Employee Organizations – Public Works Supervisors Association, Public Works Association, Police Officer's Association, Police Management Association and City Employees Association.

b. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code Section 54956.9(b).)

One potential case

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AGENDA**

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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

PRESENTATIONS

- Recognition of Beatriz E. Tapia, Public Works Department, for her thirty years of loyal service

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT COMMISSION ITEMS - None

CITY COUNCIL ITEMS (Items No. 1-2)

1. Medical Marijuana Dispensary Moratorium - Urgency Ordinance No. 824-U

Whether Urgency Ordinance No. 823-U prohibiting medical marijuana dispensaries in all zones within the City and prohibiting the issuance of building permits and other land use entitlements for such should be extended for an additional ten (10) months and fifteen (15) days pursuant to the Government Code Section 65858.

Recommendation: It is recommended that the City Council open a public hearing and receive testimony and then adopt Urgency Ordinance No. 824-U, An Interim Ordinance of the City Council of the City of Bell Gardens extending for an additional ten (10) months and fifteen (15) days a citywide moratorium on the establishment and operation of medical marijuana dispensaries.

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2. Congestion Management Program Conformance Self-Certification (File #2009-018)

Recommendation: It is recommended that the City Council adopt Resolution No. 2009-16, A Resolution of the City Council of the City of Bell Gardens (County of Los Angeles), California finding the city to be in conformance with the Congestion Management Program (CMP) and adopting the CMP local development report, in accordance with California Government Code Section 65089.

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CONSENT CALENDAR (Items No 3 – 14)

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

June 22, 2009 – Regular Meeting Minutes

Recommendation: Approve the minutes

COMMUNITY DEVELOPMENT COMMISSION ITEMS

5. Warrants

Warrant Registers dated 6/18/09 (CK#12070, \$65,525.92) for a total amount of \$65,525.92.

Recommendation: Approve the warrants

6. Amendment to the Community Development Block Grant Program Pursuant to the American Recovery and Reinvestment Act of 2009

On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law. The City will receive an allocation of Community Development Block Grant- Recovery (CDBG-R) funds in the amount of \$258,991. Staff recommends the funds be used to improve Field Five.

Recommendation: It is recommended that the Community Development Commission 1) approve the Recovery Act CDBG-R project and budget, 2) approve Resolution No.

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2009-01, A Resolution of the Community Development Commission of the City of Bell Gardens approving the allocation of \$373,005 of tax increment funding from Redevelopment Project Area 1.

CITY COUNCIL ITEMS

7. Warrants

Warrant Registers dated 6/18/09 (CK#128964-129013, \$325,078.59), Wire Transfer dated 6/18/09 (CK#730-731, \$449,475.05), and Warrant Register dated 6/18/09 (CK #129014-129016, \$2,299.26) for a total amount of \$776,852.90.

Recommendation: Approve the warrants

8. Adoption of Commission Ordinance No. 825

At the Regular City Council Meeting of April 13, 2009, the City Council adopted Ordinance 818 which established uniform standards for Commission appointments. Staff is recommending that the Council eliminate the requirement of voter registration status for Commission members as it unnecessarily eliminates Bell Gardens residents who are otherwise fully qualified to serve in an advisory capacity.

Recommendation: It is recommended that the City Council: 1) Adopt Ordinance No. 825, which amends Chapters 2.22, 2.28, 2.31, 2.35 and 2.68 of the Bell Gardens Municipal Code related to Boards and Commissions by eliminating the requirement for voter registration; 2) and authorize the City Clerk to prepare a summary of the Ordinance for publication purposes once the Ordinance is adopted.

9. Memorandum of Agreement for the Administration and Cost Sharing of the Development of the Coordinated Implementation Plan for Reach 2 of the Los Angeles River and Tributaries Metals Total Maximum Daily Loads

The Los Angeles River and Tributaries Metals Total Maximum Daily Load adopted by the Los Angeles Regional Water Quality Control Board on September 6, 2007, requires Los Angeles River watershed cities and agencies to develop a coordinated implementation plan to reduce the amount of metal pollutants in the Los Angeles River and its tributaries. This report outlines the need for these efforts, their foreseeable costs and, proposed plan preparation through a cost-sharing agreement and fiscal management through the San Gabriel Valley Council of Governments (SGVCOG).

Recommendation: It is recommended that the City Council A) Authorize staff to execute the Memorandum of Agreement for the administration and cost sharing of the development of the Coordinated Implementation Plan for Reach 2 of the Los Angeles River and Tributaries Metals Total Maximum Daily Loads with the San Gabriel Valley Council of Governments (SGVCOG) and B) Authorize staff to process payment for the City's budgeted share cost amount of \$3,628.13.

10. Lease of Water Rights for FY 2009-2010

The City contacted 38 southeast area cities and water agencies notifying them of the available 1,000 acre-feet of excess water rights available for lease this fiscal year. Bids were received from two water agencies. Leasing the City's excess water rights will generate \$75,000 revenue for this fiscal year and will help offset the higher cost of purchasing water from the Metropolitan Water District (MWD).

Recommendation: It is recommended that the City Council by motion 1) accept the two bids, 2) authorize the Mayor to execute the Water Rights License and Agreement with Maywood Mutual Water Co No. 3 and South Montebello Irrigation District.

11. Amendment to the Community Development Block Grant Program Pursuant to the American Recovery and Reinvestment Act of 2009

On February 17, 2009, the American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law. The City will receive an allocation of Community Development Block Grant- Recovery (CDBG-R) funds in the amount of \$258,991. Staff recommends the funds be used to improve Field Five.

Recommendation: It is recommended that the City Council 1) approve the Recovery Act CDBG-R project and budget, 2) approve Resolution No. 2009-22, A Resolution of the Bell Gardens City Council amending the City's Community Development Block Grant Program pursuant to the American Recovery and Reinvestment Act of 2009.

12. Acceptance for the Specht Rehabilitation Project

The City was awarded a Work Force Housing Grant in the amount of \$115,000 to substantially rehabilitate eight City owned units. The project included exterior improvements. The contractor completed the work specified in the work-write up to the satisfaction of staff.

Recommendation: It is recommended that the City Council by motion accept the Specht Residential Rehabilitation Project, File No. 2006-032, as complete, and authorize staff to file a Notice of Completion.

13. Edward Byrne Memorial Justice Assistance Grant

The Police Department requests authorization to receive funds under this grant. The grant does not require matching funds therefore there is no fiscal impact to the City.

Recommendation: It is recommended that the City Council authorize the Police Department to receive funds under this grant.

14. Extension of Audit Firm Contract

The current audit contract expired with the completion of the fiscal year 2007/08 audit. Staff recommends that the City renew the contract for one year with two one-year options to extend.

Recommendation: It is recommended that the City Council renew the contract for one year with two one-year options to extend.

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

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