



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
SPECIAL MEETING - CLOSED SESSION  
TUESDAY, AUGUST 24, 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. CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)**

Agency designated representatives: City Council  
Unrepresented employee: City Manager



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
SPECIAL MEETING  
TUESDAY, AUGUST 24, 2010, 6:00 P.M.  
AGENDA**

**LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS, CA**

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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

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

**PRESENTATIONS**

Recognition of retired Bell Gardens teacher Melodie Santana.

**PUBLIC HEARINGS (Item No. 1)**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS**

**1. APPEAL OF CONDITIONAL USE PERMIT NO. 2010-013, 6007 FLORENCE AVE.**

Jose Manuel Colon (“Applicant”), restaurant owner of Sam’s Burgers, appeals a condition of approval imposed by the Planning Commission in approving Conditional Use Permit No. 2010-013; the request is to allow the on-site sale and consumption of beer and wine (Type 41 Alcoholic Beverage Control License) in conjunction with the operation of the existing restaurant, Sam’s Burgers, located at 6007 Florence Avenue, Bell Gardens (“Subject Property”).

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

- 1.) Open the Public Hearing and receive public testimony; and
- 2.) Adopt City Resolution No. 2010-29, approving Conditional Use Permit No. 2010-013 and overturning Planning Commission Resolution #PC 2010-06.

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.

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes)**

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**CONSENT CALENDAR (Items No. 2-10)**

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.

**2. 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 Government Code Section 36934) 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 approve a general motion to waive full reading and approve Ordinances by title only pursuant to California Government Code Section 36934.

**3. MINUTES**

August 9, 2010 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council/Community Development Commission approve the minutes for the City Council Meeting of August 9, 2010.

**4. TREASURER'S REPORT FOR THE MONTH OF JULY 2010**

The Treasurer's Report is a list of the City's cash and investments for the month.

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

**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	08/03/10 (Check #'s	12333 – 12334)	\$	203.68
Warrant Registers	08/03/10 (Check #'s	12335 – 12336)	\$	12,534.28
Warrant Registers	08/09/10 (Check #'s	12337)	\$	4,033.75
		Total	\$	16,771.71

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:

Wire Transfers	07/29/10 (Wire #'s 790 – 791 & Payroll)	\$ 494,280.73
Warrant Registers	08/02/10 (Check #'s 133692 – 133756)	\$ 262,013.64
Warrant Registers	08/02/10 (Check #'s 133757 – 133776)	\$ 51,356.27
Warrant Registers	08/09/10 (Check #'s 133777 – 133822)	\$ 122,140.89
Warrant Registers	08/09/10 (Check #'s 133823 – 133834)	\$ 121,257.15
	<b>Total</b>	<b>\$1,051,048.68</b>

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.

**7. ACCEPTANCE OF THE CITYWIDE STREET OVERLAY/ARRA PROJECT PHASE I**

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

- a.) Accept the Citywide Street Overlay/ARRA Project Phase I (Florence Avenue from El Selinda Venue to Emil Avenue; Florence Place from Florence Avenue to Garfield Avenue) as complete; and
- b.) Authorize staff to file the Notice of Completion; and
- c.) Authorize release of the final retention payment 35 days after filing the Notice of Completion.

**8. AWARD OF A CONSTRUCTION CONTRACT FOR THE NEW LIGHTING SYSTEM FOR EAST SIDE OF FORD PARK**

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

- a.) Award a construction contract for the New Lighting System for East Side of Ford Park in the amount of \$237,790; and
- b.) Authorize staff to issue change orders up to 5% of the contract award during the course of construction (not to exceed available funding); and
- c.) Rule the contractors lack of addendum submittal with his bid as a minor irregularity as determined by the City Attorney.

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**9. RESOLUTION APPROVING AN APPLICATION FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM**

**Recommendation:** It is staff's recommendation that the City Council adopt Resolution No. 2010-33 approving the submittal of a Sustainable Communities Planning Grant and Incentives Program Application under Proposition 84 to the California Strategic Growth Council and authorizing the City Manager, or designee, to execute all necessary forms on behalf of the City of Bell Gardens.

**10. RESOLUTION SUPPORTING THE DREAM ACT**

(Requested by Councilmember Infanzon)

**Recommendation:** It is staff's recommendation that the City Council support the DREAM Act by adopting Resolution No. 2010-34 giving undocumented minors brought into the United States the opportunity to be eligible for a six-year long conditional path to citizenship through the completion of a college degree or two years of military services.

**DISCUSSION ITEMS (Item No. 11)**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS**

**11. LEAGUE OF CALIFORNIA CITIES/ICMA CITY MANAGER COMPENSATION TASK FORCE REPORT**

**Recommendation:** It is staff's recommendation that the City Council receive and file the verbal report by the City Manager on the joint effort of the League of California Cities and International City/County Management Association to develop guidelines and standards for City Manager compensation.

**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**