



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
SPECIAL MEETING
TUESDAY, MARCH 22, 2011, 5:00 P.M.
MINUTES**

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

CALL TO ORDER – Mayor Rodriguez called the meeting to order at 5:03 p.m.

INVOCATION – was given by Phil Wagner, Assistant City Manager

PLEDGE OF ALLEGIANCE – was led by Aldo Schindler, Community Development Director

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

PRESENT: Aceituno, Crespo, Infanzon, Rodriguez

ABSENT: Flores

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes) – None.

CONSENT CALENDAR (Item No.'s 1 & 2)

JOINT COUNCIL/COMMISSION ITEMS

1. TRANSFER OF CITY OF BELL GARDENS COMMUNITY DEVELOPMENT COMMISSION OWNED LAND TO THE CITY OF BELL GARDENS

Throughout its existence the Commission has secured numerous properties for the purposes of residential, commercial and/or industrial development. The Commission has identified 15 properties some of which include multiple parcels that would be subject to this measure. In an effort to maintain the maximum City control of real property interests staff recommends the transfer of the Commission's real property interests to the City. This proposed measure would transfer all Commission-held deeds, leases, and other notes to the City.

Recommendation:

It is staff's recommendation that the City Council:

- 1.) Adopt Resolution No. 2011-12, accepting and approving a Transfer Agreement for the transfer of certain properties owned by the Bell Gardens Community Development Commission to the City.

It is staff's recommendation that the Community Development Commission:

- 1.) Adopt Commission Resolution No. 2011-06, approving a Transfer Agreement for the transfer of certain properties owned by the Commission to the City of Bell Gardens.

This item was pulled for separate consideration by Council Member Crespo.

Council Member Crespo inquired about abstaining from voting if a Council Member had properties within the 500 feet radius.

City Attorney Arnold Alvarez-Glasman stated the approval of this item would not declare a conflict of interest if a Council Member was a property owner within the 500 feet radius because this particular situation being presented to Council for approval is more of a paper transfer than

an equity transfer with no economic benefit to a Council Member who also might be a property owner.

Community Development Director gave clarification of radius map street names at the request of Council Member Crespo.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to adopt Resolution No. 2011-12, accepting and approving a Transfer Agreement for the transfer of certain properties owned by the Bell Gardens Community Development Commission to the City and adopt Commission Resolution No. 2011-06, approving a Transfer Agreement for the transfer of certain properties owned by the Commission to the City of Bell Gardens. Motion carried by a vote of 4-0.

AYES: Aceituno, Crespo, Infanzon, Rodriguez
NOES: None
ABSENT: Flores

2. PROPOSED OWNER PARTICIPATION AGREEMENT WITH TERRA BELLA, L.P. FOR THE TERRA BELLA SENIOR HOUSING PROJECT AT 5720-5722 CLARA ST.

Terra Bella, L.P. ("Developer") has been working with the City regarding the development of a 65 unit affordable rental housing project for low-income senior citizens. Subject to the terms and conditions of the Owner Participation Agreement ("OPA"), the Commission has issued the following guidelines for the development of the apartment units that will be rented at affordable rates: to the extent permitted by law, the Developer will provide priority for the occupancy of the units to Bell Gardens residents, relatives of residents, and people working in the City; the rental of 65 of the units will be limited to rents that are considered to be affordable under federal law, to low income persons; and to ensure that the units remain affordable, the Commission and the Developer would enter into a "Regulatory Agreement" which would contain covenants affecting the property that run with the land and restrict any future rental of the restricted units to low income households for 65 years. The Commission loan equals \$2.6 million. The Commission Loan will be repaid from the Residual Receipts. The total project cost equals \$20.6 million. Construction is expected to begin during the Fall of 2011. The Developer anticipates construction of the project will take approximately 18 months.

Recommendation:

It is staff's recommendation that the City Council:

- 1.) Adopt Resolution No. 2011-13, making findings of the benefit pursuant to Health & Safety code Section 33334.2.

It is staff's recommendation that the Community Development Commission:

- 1.) Adopt Commission Resolution No. 2011-07, approving the execution of the Owner Participation Agreement by and between the Bell Gardens Community Development Commission and Terra Bella, L.P. and findings of benefit pursuant to Health & Safety Code Section 33334.2.

This item was pulled for separate consideration by Mayor Pro-Tem Infanzon.

Mayor Pro-Tem Infanzon asked about the terms and conditions regarding the Owner Participation Agreement ("Agreement"). He also inquired about the current situation in Sacramento regarding redevelopment agencies.

Community Development Director stated that Item No. 4 in the Agreement relates to the Commission Loan and its repayment based off of residual receipts.

City Manager explained that at the current moment, no one really knows what the end product will look like with regard to redevelopment agencies and the State.

A motion was made by Mayor Pro-Tem Infanzon and seconded by Council Member Aceituno to adopt Resolution No. 2011-13, making findings of the benefit pursuant to Health & Safety code Section 33334.2 and adopt Commission Resolution No. 2011-07, approving the execution of the Owner Participation Agreement by and between the Bell Gardens Community Development Commission and Terra Bella, L.P. and findings of benefit pursuant to Health & Safety Code Section 33334.2. Motion carried by a vote of 4-0.

AYES: Aceituno, Crespo, Infanzon, Rodriguez
NOES: None
ABSENT: Flores

ADJOURNMENT – Mayor Rodriguez adjourned the meeting at 5:18 p.m.



Rosalia A. Conde, CMC
City Clerk