



**CITY OF BELL GARDENS  
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
REGULAR MEETING - CLOSED SESSION  
MONDAY, APRIL 27, 2009, 5:00 P.M.  
MINUTES**

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

**CALL TO ORDER** – The Mayor called the meeting to order at 5:00 p.m.

**ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS**

PRESENT: Crespo, Infanzon, Rodriguez, Flores  
ABSENT: Aceituno

Mayor Pro Tem Flores announced that Councilmember Aceituno was running late and would be joining the meeting shortly.

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

**CLOSED SESSION:**

The City Attorney noted that the Council/Commission would recess to Closed Session to discuss the following two (2) matters:

- a. **PUBLIC EMPLOYEE EVALUATION (Government Code Section 54957)**  
Position-City Manager
- b. **PUBLIC EMPLOYMENT (Government Code Section 54957)**  
Position-Chief of Police

The Council/Commission recessed to Closed Session. Councilmember Aceituno arrived during Closed Session.

The Mayor/Chair reconvened the meeting to Open Session at 6:00 p.m.

**CALL TO ORDER** – The Mayor called the meeting to order at 6:00 p.m.

**INVOCATION** – The Invocation was led by John Oropeza, Director of Public Works.

**PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Pamela Yugar, Director of Recreation and Community Services.

**ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS**

PRESENT: Crespo, Infanzon, Aceituno, Rodriguez, Flores  
ABSENT: None.

## **CITY ATTORNEY REPORT FROM CLOSED SESSION**

The City Attorney reported that the Council/Commission met earlier in Closed Session to discuss the two (2) matters referenced on the agenda. All members of the Council/Commission were present. There was no final action on either item and there was nothing further to report.

**PRESENTATIONS:** None

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

**COMMUNITY DEVELOPMENT COMMISSION ITEMS - None**

#### **CITY COUNCIL ITEMS**

**1. Adoption of Resolution 2009-11 (Fee Schedule)**

**Recommendation:** It is recommended that the City Council continue the item to the meeting of May 11, 2009

A motion was made by Mayor Flores, seconded by Councilmember Crespo and carried (5 – 0) to open the public meeting and continue this matter to the meeting of May 11, 2009.

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

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

Cristina Garcia appeared to speak on Consent Calendar Item Nos. 7 and 8.

### **CONSENT CALENDAR (Items No 2 – 13)**

A motion was made by Councilmember Aceituno, seconded by Mayor Pro Tem Rodriguez, and carried (5 – 0) to approve Consent Calendar Item Nos. 2, 3, 4, 5, 6, 9, 10, 11, 12, and 13. Item Nos. 7 and 8 were pulled from the Consent Calendar for separate consideration.

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

**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 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.

**3. Minutes**

April 13, 2009 – Regular Meeting Minutes

April 14, 2009 – Adjourned Regular Meeting Minutes

**Recommendation:** Approve the minutes

## COMMUNITY DEVELOPMENT COMMISSION ITEMS

### 4. Warrants

Warrant Register dated 4/27/09 (CK#12023-12030, \$75,284.54), and warrant register dated 4/27/09 (CK#12025, \$47.57) for a total amount of \$75,332.11.

**Recommendation:** Approve the warrants

## CITY COUNCIL ITEMS

### 5. Warrants

Warrant Registers dated 4/09/09 (CK#128230-128272, \$283,056.46), Wire transfer dated 4/09/09 (CK#719-720, \$443,089.86 for a total amount of \$726,146.32.

Warrant Registers dated 4/27/09 (CK#128273-128380, \$360,282.22) for a total amount of \$360,282.22.

**Recommendation:** Approve the warrants

### 6. Commissioner's attendance for the month of March 2009

Commissioner's attendance includes the attendance of all Commissioners within all active commissions in the past month.

**Recommendation:** It is recommended that the City Council receive and file the Commissioner's attendance list.

### 7. Adoption of Ordinance No. 819 – Animals and Pound

The City Council introduced the amendments to Ordinance No. 819 at their April 13, 2009 Regular Meeting. This item is being placed on the agenda for adoption at second reading.

**Recommendation:** It is staff's recommendation that the City Council 1) adopt Ordinance No. 819, amending Chapter 15.04 of the Bell Gardens Municipal Code to establish further regulations related to Animals and Pound, and 2) direct the City Clerk to prepare a summary of the Ordinance for publication purposes.

This item was pulled for separate consideration by Councilmember Crespo.

### 8. Nuisance Party-Cost Recovery

Each month the Police Department responds to hundreds of calls for service relating to loud parties disturbing the peace of residents. This ordinance will allow officers to issue citations when responding to repeat calls at the same location.

**Recommendation:** It is recommended that the City Council adopt Ordinance No. 817, An Ordinance of the City Council of the City of Bell Gardens adding Chapter 25 to Title 16 of the Bell Gardens Municipal Code, establishing a cost recovery for Police services at large parties that constitute a nuisance on private property, reading by title only and waiving the reading in full.

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

### 9. Bicycle Casino Request to add Triple Draw Poker card game

**Recommendation:** It is recommended that the City Council approve Resolution 2009-10, a resolution of the City Council of the City of Bell Gardens approving the playing of Triple Draw Poker Card Game at the Bicycle Casino.

**10. Public Works Department Reorganization**

**Recommendation:** It is recommended that the City Council by motion approve the reorganization of the Public Works Department and authorize a key Manager position and an Administrative Analyst position to be added resulting in increased efficiency and productivity for the Department including a cost savings to the General Fund.

**11. Installation of 4 Way Stop at Lubec Street and El Selinda Avenue/ Resolution 2009-12**

**Recommendation:** It is recommended that the City Council by motion 1) adopt Resolution 2009-12 and 2) authorize the installation of a 4 way stop controlled intersection at Lubec Street and El Selinda Avenue.

**12. Ordinance No. 820 – Amendments to Bicycle Registration Program.**

This “clean up” Ordinance amendment properly acknowledges the Police Department as the administrator of the Bicycle Registration Program and will concurrently allow any associated fees to be set by resolution.

**Recommendation:** It is recommended that the City Council introduce Ordinance No. 820, An Ordinance of the City Council of the City of Bell Gardens, California amending Sections 13.40.020, 13.40.040, 13.40.060, and 13.40.070 and Chapter 13.40 of the Bell Gardens Municipal Code related to Bicycles, read the Ordinance by title only, and direct the City Council to publish a summary of the Ordinance upon adoption.

**13. Ordinance No. 821 – Amendments to Fireworks Program.**

**Recommendation:** It is recommended that the City Council introduce Ordinance No. 821, An Ordinance of the City Council of the City of Bell Gardens, California amending Sections 16.40.060 and 16.40.080 and Chapter 16.40 of the Bell Gardens Municipal Code related to Fireworks, read the Ordinance by title only, and direct the City Council to publish a summary of the Ordinance upon adoption.

**ITEMS PULLED FROM THE CONSENT CALENDAR FOR SEPARATE CONSIDERATION**

**7. Adoption of Ordinance No. 819 – Animals and Pound**

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**Recommendation:** It is staff's recommendation that the City Council 1) adopt Ordinance No. 819, amending Chapter 15.04 of the Bell Gardens Municipal Code to establish further regulations related to Animals and Pound, and 2) direct the City Clerk to prepare a summary of the Ordinance for publication purposes.

This item was pulled for separate consideration by Councilmember Crespo.

Councilmember Crespo expressed support for the City to either provide the baggies or pursue sponsorships for the baggies. He also expressed support for directing staff to look into the citation schedule prior to implementing the Ordinance and before any member of the public is cited.

The City Attorney noted that the Ordinance must be adopted prior to establishing fees.

Councilmember Aceituno reported that he was working with organizations who may be able to sponsor the baggies and would return to Council with a report on a future agenda.

A motion was made by Councilmember Crespo, seconded by Mayor Flores, and carried (5 – 0) to 1) adopt Ordinance No. 819, amending Chapter 15.04 of the Bell Gardens Municipal Code to establish further regulations related to Animals and Pound, and 2) direct the City Clerk to prepare a summary of the Ordinance for publication purposes.

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

**8. Nuisance Party-Cost Recovery**

Each month the Police Department responds to hundreds of calls for service relating to loud parties disturbing the peace of residents. This ordinance will allow officers to issue citations when responding to repeat calls at the same location.

**Recommendation:** It is recommended that the City Council adopt Ordinance No. 817, An Ordinance of the City Council of the City of Bell Gardens adding Chapter 25 to Title 16 of the Bell Gardens Municipal Code, establishing a cost recovery for Police services at large parties that constitute a nuisance on private property, reading by title only and waiving the reading in full.

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

Mayor Pro Tem Rodriguez requested that this item be continued to pursue additional research and analysis on this matter.

A motion was made by Mayor Rodriguez, seconded by Councilmember Crespo, and carried (5 – 0) to continue this matter to a future agenda.

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

**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)**

Geraldo Mayagoitya appeared to speak in support of Police Chief Keith Kilmer.

**CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS:**

Councilmember Crespo thanked all those who attended tonight's meeting and congratulated the Police Department for their recent confiscation of illegal drugs in the community.

Councilmember Infanzon thanked all those who attended tonight's meeting and expressed support for the City to educate the public regarding new Ordinances.

Mayor Pro Tem Rodriguez thanked all those who attended tonight's meeting.

Mayor Flores thanked all those who attended tonight's meeting.

**ADJOURNMENT** – Noting no further business to come before the Council/Commission, the Mayor adjourned the meeting at 6:21 p.m.

Recorded by:

A handwritten signature in black ink that reads "Vida Barone". The signature is written in a cursive style with a large initial "V".

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Vida Barone, Interim City Clerk