



**CITY OF BELL GARDENS**  
**CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION**  
**REGULAR MEETING - CLOSED SESSION**  
**MONDAY, JUNE 14, 2010, 5:00 P.M.**  
**MINUTES**

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

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

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

**PRESENT:** Crespo, Infanzon, Aceituno, Flores

**ABSENT:** Rodriguez (excused)

It was noted for the record that Mayor Pro Tem Rodriguez would be absent due to a death in the family.

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

**CLOSED SESSION:**

Assistant City Attorney Lam noted the Council would recess to Closed Session to discuss the following matters:

- 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. Public Employee Evaluation (Government Code Section 54957)  
Title: City Manager

The City Council/Community Development Commission meeting reconvened at 6:00 p.m.

**INVOCATION** – was given by John Oropeza, Public Works Director

**PLEDGE OF ALLEGIANCE** – was led by Pamela Yugar, Recreation and Community Services Director

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

**PRESENT:** Crespo, Infanzon, Aceituno, Flores

**ABSENT:** Rodriguez (excused)

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

The City Attorney/Agency Counsel reported that the Council/Commission met to discuss the two matters as listed on the agenda. He noted there was no final action taken on either matter.

## PRESENTATIONS

- Certificate of Recognition to Isabel Puentes, 20 years of service
- Certificate of Recognition – Montebello Unified School District Teachers
- Certificate of Recognition- Seven City Hustle Skate Park Winner

## PUBLIC HEARINGS

### COMMUNITY DEVELOPMENT COMMISSION ITEMS

### CITY COUNCIL ITEMS

#### 1. PACIFIC PIPELINE SYSTEM FRANCHISE AGREEMENT RENEWAL – PUBLIC HEARING FOR ORDINANCE NO. 834

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

- 1). Open the Public Hearing, receive public testimony and any protests to determine their sufficiency, and
- 2). Introduce by title only, waiving full reading, Ordinance No. 834, An Ordinance of the City Council of the City of Bell Gardens Granting and Oil Pipeline Franchise to Pacific Pipeline System Inc., and
- 3). Schedule second reading of the Ordinance for adoption

Chau Vu, Public Works Manager, provided a brief report.

Mayor Flores opened the public hearing and public comments. There were no public comments. Mayor Flores closed public comments and the public hearing.

A motion was made by Councilmember Aceituno, seconded by Councilmember Infanzon, and carried (4 – 0) to close the public hearing.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores

NOES: None.

ABSENT: Rodriguez (excused)

#### 2. CONSIDERATION OF PARTICIPATION IN THE LOS ANGELES COUNTY ENERGY PROGRAM

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

- 1). Open the Public Hearing and receive public testimony; and
- 2). Adopt Resolution No. 2010-24, A Resolution of the City Council of the City of Bell Gardens, California consenting to inclusion of properties within the incorporated area of the City in the Los Angeles County Energy Program to finance distributed generation renewable energy sources and energy and water efficiency improvements, approving the report setting forth the parameters of the referenced program and certain matters in connection therewith.

Aldo Schindler, Community Development Director provided a brief report.

Mayor Flores opened the public hearing and public comments. There were no public comments. Mayor Flores closed public comments and the public hearing.

A motion was made by Councilmember Infanzon, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores

NOES: None.

ABSENT: Rodriguez (excused)

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

Ron Hoyt, spoke on Consent Calendar Item No. 8. Requested the Council to table this item.

Aldo Schindler noted the allocation for this item was approved previously and it will not affect the existing CDBG programs. These funds are within our budget and there is no general fund money being used at all.

**CONSENT CALENDAR (Items No. 3 - 17)**

**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:** It is staff's recommendation that the City Council/Community Development Commission read all Ordinances by title only and waive the reading in full.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores

NOES: None.

ABSENT: Rodriguez (excused)

**4. MINUTES**

April 27, 2010 – Special Reorganization Meeting Minutes

May 10, 2010 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council/Community Development Commission approve the minutes.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores

NOES: None.

ABSENT: Rodriguez (excused)

**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	04/29/10 (Check #'s 12283)	\$587.25
Warrant Registers	05/03/10 (Check #'s 12284 - 12285)	\$487.06
Warrant Registers	05/10/10 (Check #'s 12286 - 12290)	\$1,274,101.92
Warrant Registers	05/03/10 (Check #'s 12291 - 12297)	\$68,294.40
Warrant Registers	05/24/10 (Check #'s 12298 - 12304)	<u>\$19,328.94</u>
	Total	\$1,362,799.57

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.

This item was pulled for separate consideration by Councilmember Crespo.

In response to an inquiry from Councilmember Crespo on Warrant Number 132622, the Chief of Police noted the police vehicle cameras were used to record both inside and outside the vehicle. He also provided brief information on the camera recording storage policies.

Upon reconsideration, a motion was made by Mayor Flores, seconded by Councilmember Crespo, and carried (4 – 0) to approve, as recommended, with Councilmember Infazon abstaining on warrant numbers 132543 and 132544 and Mayor Flores abstaining on warrant numbers 132531, 132532, 132686 and 13258.

- AYES: Crespo, Infanzon, Aceituno, Flores
- NOES: None.
- ABSENT: Rodriguez (excused)

**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:

Warrant Registers	04/29/10 (Check #'s 132493 - 132584)	\$469,376.81
Wire Transfers	04/29/10 (Wire's 773-774 & payroll)	\$458,053.40
Warrant Registers	05/03/10 (Check #'s 132585 - 132652)	\$258,287.51
Warrant Registers	05/10/10 (Check #'s 1325653 - 132741)	\$702,767.13
Wire Transfers	05/10/10 (Wire's 776-777 & payroll)	\$481,213.84
Warrant Registers	05/12/10 (Check #'s 132742)	\$698.60
Warrant Registers	05/12/10 (Check #'s 132743 - 132744)	\$397.88

Warrant Registers	05/17/10 (Check #'s 132745 - 132814)	\$269,623.50
Warrant Registers	05/24/10 (Check #'s 132815 - 132907)	\$261,857.64
Wire Transfers	05/24/10 (Wires #'s 775 & 778 & payroll)	\$477,835.40
	Total	\$3,380,111.71

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.

This item was pulled for separate consideration by Councilmember Crespo.

A motion was made by Councilmember Crespo, seconded by Councilmember Infanzon, and carried (4 – 0) to approve, as recommended, with Councilmember Infanzon abstaining on warrant numbers 132543 and 132544 and Mayor Flores abstaining on warrant numbers 132531, 132532, 132686 and 13258.

Upon reconsideration, a motion was made by Mayor Flores, seconded by Councilmember Crespo, and carried (4 – 0) to approve, as recommended, Councilmember Infanzon abstaining on warrant numbers 132543 and 132544 and Mayor Flores abstaining on warrant numbers 132531, 132532, 132686 and 13258.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**7. MANDATED BIENNIEL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE**

**Recommendation:** It is staff's recommendation that the City Council direct staff to review the City's Conflict of Interest Code (Resolution No. 2008-44) and submit, no later than October 1, 2010, a notice indicating whether amendments are necessary.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**8. AUTHORIZATION OF PLANS AND SPECIFICATIONS AND SOLICITATION OF BIDS FOR THE FORD PARK LIGHTING PROJECT**

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

- 1) Approve the plans and specifications for the new lighting system for Ford Park; and
- 2) Authorize staff to solicit bids for the construction of this project.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**9. USED OIL PAYMENT PROGRAM**

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

- 1) Approve Resolution No. 2010-21, A Resolution of the City Council of the City of Bell Gardens authorizing the submittal of the Used Oil Payment Program (OPP) application and authorizing designee to execute all documents with CALRecycle

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**10. CONSIDERATION OF GREEN CURB AT 6334 CLARA STREET**

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

- 1) Approve Resolution No. 2010-17, A Resolution of the City Council of the City of Bell Gardens establishing parking restrictions in the City of Bell Gardens, and
- 2) Authorize staff to install 20 feet of green curb with signifiers "20 minute parking" at 6334 Clara Street

This item was pulled for separate consideration by Councilmember Crespo.

Councilmember Crespo noted that the radius map does not show the street and would like to know the name of the street. The Public Works Director noted the major cross street is Garfield Avenue.

A motion was made by Councilmember Crespo, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**11. CONSIDERATION OF LOS ANGELES COUNTY GRANT APPLICATION FOR JOHN ANSON FORD PARK FIELD FIVE RENOVATION PROJECT**

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

- 1) Approve Resolution No. 2010-13, A Resolution of the Bell Gardens City Council approving the application for grant funds from the Los Angeles County Regional Park and Open Space District for Proposition "A" Cities excess funds for the Ford Park Field Five Improvement Project

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**12. APPROVAL OF FIREWORKS STANDS PERMITS**

**Recommendation:** It is staff's recommendation that the City Council approve the 11 applications from organizations seeking to operate fireworks stands within the City limits from June 28, 2010, 12 noon, through July 6, 2010, 12 noon.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**13. APPROVAL OF FINAL PARCEL MAP NO. 70907 – CONSOLIDATION OF EXISTING LOTS**

**Recommendation:** It is staff's recommendation that the City Council approve Final Parcel Map No. 70907 and authorize the City Clerk and City Engineer to execute the document.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**14. AUTHORIZATION TO AWARD CONTRACT FOR WORKFORCE HOUSING GRANT PROJECT PHASE II TO REHABILITATE 6911 – 6913 ½ EMIL AVENUE**

**Recommendation:** It is staff's recommendation that the City Council award a contract for the Workforce Housing Grant project to rehabilitate 6911 – 6913 ½ Emil Avenue to Inno Construction Inc., in the amount of \$28,000, and authorize the Mayor to sign the "Contract Agreement" and "General Conditions."

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**15. PROMOTING CLEAN AND ENERGY EFFICIENT MOTOR VEHICLES BY ADOPTION OF RESOLUTION NO. 2010-19**

**Recommendation:** It is staff's recommendation that the City Council adopt Resolution No. 2010-19, Resolution of the City Council of the City of Bell Gardens supporting the California Air Resources Board's Leadership in Promoting Clean and Energy Efficient Motor Vehicles, Energy Independence, Zero Emission Technologies, and Improved Quality of Life in California.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**16. COPIER/PRINTER LEASE AND SERVICE AGREEMENT**

**Recommendation:** It is staff's recommendation that the City Council approve the proposal from Ikon/Ricoh for leasing and servicing copiers/printers.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**17. TREASURER'S REPORT – APRIL 2010**

The Treasurer's Report has been prepared and submitted for the month of April 2010.

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

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and carried (4 – 0) to approve, as recommended.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

**DISCUSSION ITEMS (Item No. 18)**

**COMMUNITY DEVELOPMENT COMMISSION ITEMS**

**CITY COUNCIL ITEMS**

**18. ADOPTION OF FISCAL YEAR 2010/2011 OPERATING AND CAPITAL IMPROVEMENT BUDGETS AND COMPENSATION PLAN AND ESTABLISHMENT OF THE APPROPRIATIONS LIMITS FOR FISCAL YEAR 2010/2011**

The City of Bell Gardens adopts an annual budget consisting of proposed revenues and expenditures. In addition, the California State Constitution requires the City to calculate the annual appropriations limit.

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

- 1) Adopt Resolution No. 2010-18, A Resolution of the City Council of the City of Bell Gardens, California, adopting the 2010-2011 annual budget and establishing employee classifications and compensation for all positions as of July 1, 2010; and
- 2) Adopt Resolution No. 2010-20, A Resolution of the City Council of Bell Gardens, California establishing the appropriations limit for Fiscal Year 2010-2011

Kim Krause, Finance and Administrative Services Director, made a brief PowerPoint presentation. Slide presented included: General Fund Budget Overview, General Fund Budget Challenges, Impact of Bicycle Casino, General Fund Revenue Summary, General Fund Revenue History, FY 10/11 General Fund Revenue, General Fund Expenditures by Department, General Fund Expenditure History by Type, Capital Improvement Projects, Capital Project Highlights, Budget Summary, Budget Recap, Where are we now?, and Conclusion.

In response to inquiries from Councilmember Infanzon, the Finance and Administrative Services Director noted the City receives approximately \$1.5 million dollars per year in transportation funds from the State and the method for determining the City's revenues. She also noted that the listed Capital Improvement Projects will be part of the adopted.

Cristina Garcia inquired as to whether the casino revenue projection is proposed to be flat or decreased.

A motion was made by Councilmember Infanzon, seconded by Mayor Flores, and carried (3 – 1) to approve Resolution No. 2010-18, for discussion purposes. A second for approval was made by Mayor Flores.

In response to inquiries from Councilmember Crespo, staff provided information in regard to the employee classification and compensation resolution as well as the transfers to other funds from the Finance and Administrative Services Department.

AYES: Crespo, Infanzon, Flores  
NOES: Aceituno  
ABSENT: Rodriguez (excused)

A motion was made by Councilmember Infanzon, seconded by Mayor Flores, and carried (4 – 0) to approve Resolution No. 2010-20, for discussion purposes. A second for approval was made by Mayor Flores.

AYES: Crespo, Infanzon, Aceituno, Flores  
NOES: None.  
ABSENT: Rodriguez (excused)

Item Numbers 5 and 6 were called for reconsideration by Mayor Flores. The reconsideration motions and votes have been noted within those items.

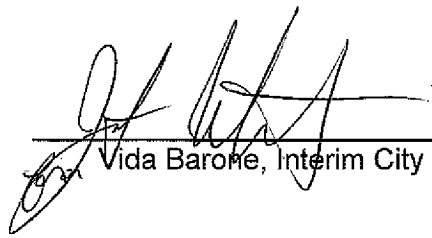
**PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER  
JURISDICTION OF THE CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION  
(Three minutes per person, subject to a total period of 30 minutes)**

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

All Councilmembers made comments.

Councilmember Crespo and Mayor Flores requested staff information on the LaRouche information presented by the public speakers.

**ADJOURNMENT** – The Mayor adjourned the meeting at 7:27 p.m.



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Vida Barone, Interim City Clerk