



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING - CLOSED SESSION
MONDAY, JUNE 28, 2010, 5:00 P.M.
MINUTES**

LOCATION: CITY COUNCIL CHAMBER, 7100 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, Aceituno, Flores

ABSENT: Rodriguez (excused)

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

CLOSED SESSION:

The Council/Commission recessed 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
- c. Public Employment
(Government Code section 54957)
Title: City Clerk

The Mayor/Chair reconvened the meeting to order 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 noted that the City Council/Commission received a briefing on each of the items, no final action was taken, and there was nothing further to report.

PRESENTATIONS

- Certificate of Recognition to Kristal Perez, 2010 Student Volunteer of the Year
- Presentation – Healthy Eating Active Living Campaign
- Certificate of Recognition- Public Works 3rd Grade Poster Contest Winner
- Certificate of Recognition- Antonia Perez for being selected for the Clara Barton Spirit of the Red Cross Award
- Certificate of Recognition-Vida Barone

PUBLIC HEARINGS (Item No. 1)

COMMUNITY DEVELOPMENT COMMISSION ITEMS

CITY COUNCIL ITEMS

1. CONSIDERATION OF ADOPTION OF PROPOSED SEWER RATE FEES AND RECEIVING ANY PROTESTS THEREOF

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

- 1). Open the Public Hearing and receive public testimony
- 2) Adopt Resolution No. 2010-15, A Resolution of the City Council of the City of Bell Gardens establishing the collection of the annual sewer service charge through the Los Angeles County Property Tax Bill

Ray Abassi, City Engineer, provided the report.

The Mayor opened the public hearing and public comments.

Joaquin Madrigal spoke in opposition to this item.

Ron and Adela Bresely made various inquiries related to the sewer units for the Casino, past inspections of the system, and who conducted the sewer system study.

Clifford Dunbar inquired as to codes on the rate sheets and the work of the multiple jurisdictions that are involved in Bell Gardens' sewer maintenance.

Sharyn Pohlman spoke in opposition to this item.

Lissette Saavedra spoke in opposition to this item.

Luis Arias spoke in support of the need to adopt this item.

Marcos Arreola spoke in opposition to this item.

Yvette Silva spoke in opposition to this item.

Jorge Amaro spoke in opposition to this item.

Jasmine Saavedra spoke in opposition to this item.

Marcos Arreola spoke about government spending.

Speaker (did not identify himself) spoke in opposition to this item.

Alvina Artz thanked the Council for being able to accept or reject the new sewer charge.

Katherine (last name not given) spoke in opposition to this item.

Javier Hernandez spoke in opposition to this item.

Speaker (name was not given) spoke in opposition to this item.

Ivy Merko spoke in opposition to this item. Inquired as to the cost of the sewer operations.

Clifford Dunbar read two sentences from the agenda report related to proposed sewer fees.

The Mayor closed public comments and the public hearing.

A motion was made by Mayor Flores, seconded by Councilmember Aceituno, and carried (4 – 0) to deny the approval of this item. This item was not approved by the City Council.

AYES: Crespo, Infanzon, Aceituno, Flores

NOES: None.

ABSENT: Rodriguez (excused)

ABSTAIN: None.

Councilmember Crespo requested a copy of the property owners who received a notification letter.

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

Clifford Dunbar spoke regarding Item No. 13.

CONSENT CALENDAR (Items No. 2 - 13)

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: 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 passed (4 – 0) to read all Ordinances by title only and waive the reading in full.

AYES: Crespo, Infanzon, Aceituno, Flores

NOES: None.

ABSENT: Rodriguez (excused)

ABSTAIN: None.

3. MINUTES

June 14, 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 passed (4 – 0) to approve the minutes.

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

COMMUNITY DEVELOPMENT COMMISSION ITEMS

4. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the Community Development Commission receive and file the following transactions:

Warrant Registers	06/10/10 (Check #'s 12305 - 12308)	\$11,525.04
Warrant Registers	06/08/10 (Check #'s 12308 - 12311)	<u>\$12,281.75</u>
	Total	\$23,806.79

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.

A motion was made by Councilmember Crespo, seconded by Mayor Flores, and passed (4 – 0) to approve the Warrant Registers and Wire Transfers.

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

CITY COUNCIL ITEMS

5. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the City Council receive and file the following transactions:

Warrant Registers	06/01/10 (Check #'s 132908 - 132980)	\$315,264.07
Warrant Registers	06/07/10 (Check #'s 132981 - 133067)	\$666,639.69

Wire Transfers	06/03/10 (Wire's 779-780 & payroll)	\$469,119.39
	Total	\$1,451,023.15

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 Mayor Flores, to approve this item. Councilmember Crespo noted that he will vote "no" on the Redflex warrant on page 42.

AYES: Crespo, Infanzon, Aceituno, Flores
 NOES: None. (Crespo voted "no" on the Redflex warrant)
 ABSENT: Rodriguez (excused)
 ABSTAIN: None.

6. APPROVAL OF THE PACIFIC PIPELINE SYSTEM FRANCHISE AGREEMENT RENEWAL THROUGH ADOPTION OF ORDINANCE NO. 834

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

- 1) Approve, upon second reading by title only, Ordinance No. 834, An Ordinance of the City Council of the City of Bell Gardens granting an oil pipeline franchise to Pacific Pipeline System LLC

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to approve Ordinance No. 834.

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

7. PURCHASE OF A MASS NOTIFICATION SYSTEM FROM BLACKBOARD CONNECT INC.

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

- 1) Approve Resolution No. 2010-23, A Resolution of the City Council of the City of Bell Gardens waiving the formal bid process and approving the purchase of a Mass Notification System from Blackboard Connect, Inc.

This item was pulled for separate consideration by Councilmember Infanzon.

Councilmember Infanzon expressed concerns about waiving the bid process and requested that the item be continued to a future agenda in order to obtain more information.

A motion was made by Councilmember Infanzon, seconded by Councilmember Crespo, and passed (4 – 0) to continue this item to a future agenda.

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

8. AB 1234 CONFERENCE REPORT

Pursuant to the requirements of AB 1234, a report is required by any elected official attending a conference or seminar at the City's expense.

Recommendation: It is staff's recommendation that the City Council receive and file this report.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to receive and file the AB 1234 Conference Report.

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

9. TREASURER'S REPORT – MAY 2010

The Treasurer's Report for Cash and Investments for the month of May 2010 has been provided.

Recommendation: It is staff's recommendation that the City Council receive, approve, and file the report.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to receive and file the report.

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

10. CONSIDERATION OF CLAIM REJECTION

Recommendation: It is staff's recommendation that the City Council approve the recommendation from the City's Claims Management Company, Carl Warren & Company, to reject the claim of Sammy Mousa.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to reject the claim of Sammy Mousa.

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

11. CONSIDERATION OF CLAIM REJECTION

Recommendation: It is staff's recommendation that the City Council approve the recommendation from the City's Claims Management Company, Carl Warren & Company, to reject the claim of Rosa Morales.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to reject the claim of Rosa Morales.

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

12. APPROVAL TO ENROLL BELL GARDENS AS A "HEALTHY EATING ACTIVE LIVING" CITY

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2010-22, A Resolution of the City of Bell Gardens City Council adopting the Healthy Eating Active Living Campaign.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to approve Resolution No. 2010-22.

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

13. FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

Recommendation: It is staff's recommendation that the City Council consider the approval of Resolution No. 2010-26, approving the First Amendment to the City Manager Employment Agreement amending the accrual rate to provide for one (1) additional week of leave per year for a maximum total five (5) weeks of leave per year.

This item was pulled for separate consideration by Councilmember Aceituno.

A motion was made by Councilmember Aceituno, seconded by Mayor Flores, and passed (4 – 0) to continue this item to a future agenda.

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

DISCUSSION ITEMS - None

COMMUNITY DEVELOPMENT COMMISSION ITEMS

CITY COUNCIL 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)**

Lissette Saavedra expressed concerns regarding City government.

Yvette Silva expressed concerns regarding City government.

Cristina Garcia requested information regarding the Casino's revenues.

Joaquin Madrigal expressed concerns regarding City government.

Jorge Amaro expressed concerns about City government.

Luis Arias inquired whether there would be additional meetings regarding the sewer rates.

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

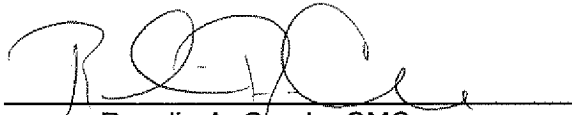
Councilmember Infanzon made general comments.

Councilmember Crespo requested information as to how we can protect the sewer lines from tree damage.

Councilmember Aceituno made general comments.

Mayor Flores made general comments.

ADJOURNMENT – The Mayor adjourned the meeting at 9:35 p.m.



Rosalia A. Conde, CMC
Interim City Clerk