



CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, MARCH 23, 2009, 6:00 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 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: Council/Commissioner Crespo, Infanzon, Rodriguez, Aceituno, Flores

ABSENT: None

PRESENTATIONS:

- 2009 California Parks and Recreation Society Awards
- Student Government Day

PUBLIC COMMENTS ON AGENDA ITEMS ONLY: None.

PUBLIC HEARINGS (Item No. 1)

COMMUNITY DEVELOPMENT COMMISSION ITEMS - None

CITY COUNCIL ITEMS

1. Appeal of Variance No. 2008-099

Applicant is appealing the Planning Commission's decision to deny Variance No. 2008-099.

Recommendation: It is recommended that the City Council adopt City Council Resolution # 2009-09 denying the Applicant's request for Variance No. 2008-099.

Carmen Morales, Interim Director of Community Development, provided a brief report summarizing the matter and the Planning Commission's previous action.

The Mayor opened the public hearing and public comments.

The applicant, Mr. Gil, appeared to provide testimony in support of his request for a variance.

Magdalena Ocampo, the Applicant's tenant, appeared in support of the applicant's request for a variance.

Guillermo Cardeno, appeared to speak in support of the applicant's request for a variance.

Speaker did not state name, she appeared to speak in support of the applicant's request for a variance.

Ricardo Gonzales, tenant of the applicant, appeared to speak in support of the applicant's request for a variance.

Elsa Hernandez, tenant of the applicant, appeared to speak in support of the applicant's request for a variance.

The City Attorney noted there were no further members of the public appearing to provide testimony in support or opposition to this matter.

The Mayor closed the public hearing and public comments pursuant to a unanimous (5 – 0) decision by the City Council.

Councilmembers made various inquiries and comments regarding this matter.

The City Attorney noted that the restrooms in this matter were constructed without the proper permits. If the variance were granted, the requirement regarding bringing the restrooms to code is still mandatory. An indemnification of the City would not override the code or parking requirements.

A motion was made by Councilmember Crespo, to table this item in order to provide further consideration of options presented during tonight's public hearing. The motion failed due to a lack of second.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and carried (4 – 0, 1 abstention - Crespo) to adopt Resolution 2009-09, pursuant to the findings made by staff in the report.

AYES: Council Infanzon, Rodriguez, Aceituno, Flores
NOES: None
ABSTAIN: Crespo

The Council took a brief recess and reconvened.

CONSENT CALENDAR (Items No 2 – 9)

A motion was made by Mayor Flores, seconded by Aceituno, and carried (5 – 0) to approve Consent Calendar Item Nos. 2, 3, 4, 5, 7, and 8.

AYES: Council/Commissioner Crespo, Infanzon, Rodriguez, Aceituno, 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**

March 9, 2009 – Regular Meeting Minutes
Recommendation: Approve the minutes

COMMUNITY DEVELOPMENT COMMISSION ITEMS

4. **Warrants**

Warrant Registers dated 2/26/09 (CK#11996-11997, \$176,537.66) for a total amount of \$176,537.66.

Warrant Registers dated 3/23/09 (CK#11998-12010, \$64,692.87) for a total amount of \$64,692.87.

Recommendation: Approve the warrants

CITY COUNCIL ITEMS

5. **Warrants**

Warrant Registers dated 2/26/09 (CK#127818-127862, \$440,320.75), Wire transfer dated 2/26/09 (CK#712-713, \$478,440.90) for a total amount of \$918,761.65.

Warrant Registers dated 3/23/09 (CK#127863-127986, \$245,026.61) for a total amount of \$245,026.61.

Recommendation: Approve the warrants

6. **Commissioner's attendance for the month of February 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.

This item was pulled for separate consideration by Councilmember Crespo.

7. **Treasurer's Report for the month of February 2009**

The Treasurer's Report has been prepared and submitted for the month of February 2009.

Recommendation: It is recommended that the City Council approve the Treasurer's Report.

8. **Adoption of Resolution 2009-06 (Red Curb Installation at 7535 Scout Avenue)**

Mr. Eddie Shams of Allen's Body Shop, located at 7535 Scout Avenue submitted a letter requesting the City consider installation of a 2-hour parking limitation or some type of parking remedy in front of his business. The field inspection revealed that given the curvature of the street, the visibility of drivers exiting the business parking lot can be improved by prohibiting parking adjacent to both driveways. The Traffic and Safety Commission considered and approved for City Council consideration the installations of the red curb (no parking) at its February 3rd, 2009 meeting.

Recommendation: It is recommended that the City Council by motion 1) adopt Parking Resolution No. 2009-06 authorizing parking restrictions in the City of Bell Gardens modifying the Bell Gardens Municipal Code and 2) Authorize the installation of 20 feet of red curb (no parking) on the south side of both driveways at 7535 Scout Avenue; and 40 feet of red curb (no parking) on the north side of both driveways at 7535 Scout Avenue.

9. Boards and Commissions – Adoption of Uniform Standards and Procedures

A management study was conducted to analyze the current Boards and Commissions configuration, practices, compliance with the Bell Gardens Municipal Code and California law, and whether efficiencies could be realized through streamlining or consolidation of existing Boards.

Recommendation: It is staff's recommendation that the City Council: 1) introduce Ordinance No. 818, which establishes uniform standards for the City's Boards and Commissions by amending Chapters 2.22, 2.28, 2.31, and 2.35, repealing in their entirety Chapters 2.21, 2.23, 2.24, 2.62, 2.64, and 2.68, and requesting that the City Clerk prepare a summary of the Ordinance for publication purposes; and 2) adopt the City of Bell Gardens Boards and Commissions Handbook, which creates uniform Boards and Commission procedures.

This item was pulled for separate consideration by Councilmember Crespo.

ITEMS PULLED FROM THE CONSENT CALENDAR FOR SEPARATE CONSIDERATION

6. Commissioner's attendance for the month of February 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.

This item was pulled for separate consideration by Councilmember Crespo.

Councilmember Crespo requested that each Councilmember's name appear next to his or her respective appointee in the attendance report. The City Manager noted that this change will be incorporated in future reports.

A motion was made by Councilmember Crespo, seconded by Mayor Flores, and carried (5 – 0) to receive and file the Commissioner's attendance list.

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

9. Boards and Commissions – Adoption of Uniform Standards and Procedures

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This item was pulled for separate consideration by Councilmember Crespo.

Mayor Flores noted that she supports the consolidation of Commissions for efficiency purposes and the approval of a Board and Commissions handbook which standardizes policy.

Councilmember Infanzon noted the importance of the Education Commission and requested that it be retained as a separate entity.

Councilmember Crespo expressed support for most of the consolidations, but requested that the Education Commission be kept as a separate entity.

Mayor Flores expressed support for the retention of the Education Commission as a separate entity.

The Mayor opened public comments on this item.

Marthaanne Viurquiz, appeared to speak in support of retaining Commissions that support education and youth.

Sonia Valencia, appeared to speak in support of providing on-going training support to the Commissioners.

A motion was made by Mayor Flores, seconded by Mayor Pro Tem Rodriguez, and carried (4 – 0, 1 abstention - Crespo) to introduce Ordinance No. 818, to include the retention of the Education Commission as a separate entity and adopt the City of Bell Gardens Boards and Commissions Handbook.

Councilmember Crespo noted his abstention based upon his experience and support in bringing the Police Commission into existence.

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

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:

Lisette Saavedra, expressed concerns regarding certain Commissioners and Councilmembers.

Cristina Garcia, expressed concerns regarding owners “picking up” after their pets at the public parks.

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS:

Councilmember Aceituno requested that the meeting closed in memory of the Oakland Police Officers. He also thanked those who participated in the recent “Tour de Sewer.”

Councilmember Crespo requested an opportunity to work successfully with the Council, especially during the upcoming election season. He also expressed his gratitude to Julia Asmus for all her work in the community. He requested that American Cancer Association requested assistance in a similar fashion as was given to American Diabetes Association and that the residents are being provided education related to the new home financing modification programs. He also requested that the City Manager provide information related to those residents involved in the recent "lottery scam."

Councilmember Infanzon thanked the Council for allowing the Education Commission to remain in existence.

Mayor Pro Tem Rodriguez expressed concerns regarding a public speaker's comments. She thanked all those who participated in the "Tour de Sewer" event.

Mayor Flores thanked staff for staying for the long evening.

ADJOURNMENT – noting no further business to come before the Council/Commission, the Mayor adjourned the meeting at 9:17 p.m. in honor of the four law enforcement personnel who were recently killed in the line of duty in Oakland, California.

Recorded by:

A handwritten signature in cursive script that reads "Vida Barone". The signature is written in black ink and is positioned above a horizontal line.

Vida Barone, Interim City Clerk