



**CITY OF BELL GARDENS  
CITY COUNCIL  
REGULAR MEETING – CLOSED SESSION  
MONDAY, FEBRUARY 22, 2016, 5:00 P.M.  
MINUTES**

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

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification or accommodation from the Successor Agency Secretary at (562) 806-7706. Notification 48 business hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

**CALL TO ORDER** – Mayor Rodriguez called the meeting to order at 5:02 p.m.

**ROLL CALL OF CITY COUNCIL MEMBERS**

Present: Flores, Mendoza (arrived at 5:35 p.m.), Pulido, Rodriguez  
Absent: Aceituno

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

Mayor Rodriguez opened the public comment period. There were no speakers. Mayor Rodriguez closed the public comment period and the Council recessed to the Council Conference Room (See page 2 for a report on Closed Session) at 5:03 p.m. to discuss the following matter:

**CLOSED SESSION:**

**a. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION  
One (1) matter**

Lindsay et al. v. City of Bell Gardens, Case No. 2:15-cv-09693-JFW-AJW  
Pursuant to Government Code Section 54956.9(a)



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

**ROLL CALL OF CITY COUNCIL MEMBERS**

Present: Flores, Mendoza, Pulido, Aceituno, Rodriguez  
Absent: None

**CITY ATTORNEY REPORT ON CLOSED SESSION**

City Attorney Arnold Alvarez-Glasman reported that the City Council recessed into closed session with four members of the City Council present and Mayor Pro Tem Aceituno absent. One item was announced for discussion, the Lindsay et. al vs. City of Bell Gardens matter. The City Council received a brief from the City Attorney's Office, there was no final action taken, and direction was provided.

**PRESENTATION**

City Manager Phil Wagner introduced Levy Sun, Public Information Officer for the Los Angeles Vector Control District, who gave a PowerPoint presentation regarding the Zika virus.

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

**(Three minutes per person, subject to a total period of 30 minutes)**

No comments.

**CONSENT CALENDAR (Items No. 1 – 6)**

A motion was made by Council Member Flores and seconded by Council Member Mendoza to approve Items No. 1-6 on the Consent Calendar. The motion carried 5-0 with the following vote.

AYES: Flores, Mendoza, Pulido, Aceituno, Rodriguez  
NOES: None  
ABSENT: None  
ABSTAIN: None

**1. GENERAL MOTION TO READ ALL ORDINANCES BY TITLE ONLY**

In order to expedite the conduct of business at City Council meetings, California State Law (California Government Code Section 36934) 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 approve a general motion to waive full reading and approve Ordinances by title only pursuant to California Government Code Section 36934.

2. **MINUTES**

February 8, 2016 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council approve the Regular City Council Meeting of February 8, 2016.

3. **RECEIVE AND FILE THE LOCAL COMMISSIONS APPOINTMENT LIST**

The local appointments list includes the Bell Gardens Commissions and Commissioners. The City Council adopted Ordinance No. 825 on July 13, 2009 which consolidated the existing City Commissions and established minimum requirements for service. It should be noted that all Commission Members must reside within the City of Bell Gardens and may only serve on one Commission at a time. Once appointed, each Commissioner must adhere to the requirements of the City's Conflict of Interest Code and state-mandated AB 1234 ethics training. Ordinance 825 allows each Council Member to nominate one (1) candidate per Commission, subject to the approval of the Council majority. The appointed Commission Member will serve a term that coincides with the term of the Council Member who made the original nomination.

**Recommendation:** It is staff's recommendation that the City Council receive and file the local commissions appointments list.

4. **WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant register	01/26/16	Check #s	156418 - 156502		
Wire transfers	01/21/16	Wire #s	1084 - 1085	\$ 433,638.04	
Payroll transfer	01/21/16		Net payroll	\$ 367,638.16	\$ 801,276.20
Warrant register	02/02/16	Check #s	156503 - 156575		\$ 417,923.79
<b>Total =</b>					<b>\$ 1,219,199.99</b>

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.

5. **REQUEST FOR CITY COUNCIL APPROVAL FOR TRANSFER OF POINTS/INTEREST IN THE BICYCLE CASINO**

One transaction and one transfer were recently approved by the California Gambling Control Commission and now require approval by the City of Bell Gardens: 1. Limited Partner Robert Gilbert created the Robert Gilbert Trust for the sole purpose of holding his partnership interests in The Bicycle Hotel & Casino for estate planning purposes. On December 10, 2015 the Commission approved a state gambling license for The Robert Gilbert Trust, approved current limited partner Savannah Farris-Gilbert as Trustee and further approved the transfer of Mr. Gilbert's interests into the Trust. Mr. Gilbert died in October of 2015. Ms. Farris-Gilbert is Mr. Gilbert's daughter and will serve as the Trustee until Mr. Gilbert's widow, Valerie Wildman, obtains a state gaming license. Accordingly, The Casino is now requesting the City's approval to license the Trust and transfer 2.754% previously held by Robert Gilbert to The Robert Gilbert Trust. 2. Limited Partner Douglas Ayres and Community Interest Holder Pam Ayres held 0.872% interest in The Bicycle Hotel & Casino. While Mr. and Mrs. Ayres had created the Ayres Bicycle Casino Revocable Trust for estate planning purposes, Mr. Ayres passed away while the

application for licensure was pending with the Bureau of Gambling Control. While that application is still active and the background investigation moving forward, we wanted to inform you of Mr. Ayres' passing and that Mrs. Ayres is now the sole limited partner of that interest. Pursuant to *Bell Gardens Municipal Code Section No. 5-25*, the Bicycle Casino has requested that the City Council approve the transactions and transfers; the transfer has been reviewed by the State of California Division of Gambling Control and Licensing and found to be lawful at this time.

**Recommendation:** It is staff's recommendation that the City Council approve the transfer of interest between existing partners and adopt Resolution No. 2016-09, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS APPROVING THE TRANSFER OF POINT HOLDER INTEREST."

6. RESOLUTION NO. 2016-10 REQUESTING LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (LAMTA) TO FUND ECO-RAPID TRANSIT AND ITS MEMBERS TO ENGAGE IN PREDEVELOPMENT AND TRANSIT INFRASTRUCTURE PLANNING

As a member of Eco-Rapid Transit (formerly the Orangeline Development Authority), the city has participated in a number of studies leading to the current environmental impact studies for the West Santa Ana Branch transit corridor. Eco-Rapid Transit (ERT) has explored various routes, transit technologies, environmental justice issues, Transit Oriented Development Guidelines and station area plans. The ERT objective continues to be the creation of a transit corridor that creates healthy, sustainable communities by conducting multi-jurisdictional urban development planning efforts that integrate housing, economic development, and sustainable infrastructure that enables corridor jurisdictions to adopt land development practices that integrally links transit. Eco-Rapid Transit, building on the Los Angeles County Economic Development Strategy and the Eco-Rapid Design Guidelines, will work directly with the communities along the corridor to develop a consistent set of development standards, practices, and sustainability objectives to encourage and incentivize new transit oriented developments throughout the West Santa Ana Branch transit corridor. This work will improve the ability of corridor jurisdictions to attract other funding to carry out identified public infrastructure improvements. Eco-Rapid Transit will manage the preparation of local development plans and policies to incorporate specific Sustainable Development targets including an evaluation of existing systems—electric, water, storm water, sewage, fiber (data) to identify opportunities to modify existing facilities to create state-of-the art infrastructure that addresses the needs of disadvantaged areas. Additionally, the project will identify opportunities in existing transport facilities to identify changes within the corridor that could support increased mode share shifts from vehicles to transit and related design changes in housing, economic development, parking that better supports achieving the sustainability targets. Building the West Santa Ana Branch transit corridor will be a \$4 billion investment. It is important for agencies to work together within our communities, Metro, our utilities, developers and investors to ensure that we each achieve our goals. The residents of our city, along with the other Los Angeles County voters, passed Measure R, in order to generate long term funding for transit improvements. The West Santa Ana Branch transit corridor was identified in the funding plan. This transit line could become a model of how to create transit communities that benefit all the voters. The Los Angeles County Metropolitan Transit Authority (Metro) is initiating the Environmental Studies required to construct the West Santa Ana Branch Transit Line. These studies are very focused on the transit line itself. These studies will require staff participation, community involvement and decisions about the potential impacts. This can create an unfunded liability to the city. The goals are not only to have transit that serves our community but to leverage the transit to create a sustainable, equitable corridor that creates jobs and healthy communities. In order to accomplish our goals and ensure that our city has the ability to work with Metro in the analysis, planning and

implementation of the transit corridor and station areas, we need additional funding. Therefore, staff is requesting that Metro provide funding to Eco-Rapid Transit and its members to undertake these activities.

**Recommendation:** It is staff's recommendation that the City Council adopt Resolution No. 2016-10 requesting Los Angeles County Metropolitan Transit Authority (Metro) to fund Eco-Rapid Transit and its members to engage in predevelopment and transit infrastructure planning.

## DISCUSSION (Item No. 7)

### 7. BUDGET APPROPRIATION OF MEASURE R FUNDS FOR FISCAL YEAR 2016

Measure R funds are restricted funds that must be used for transportation purposes. Measure R is a ½-cent sales tax that Los Angeles County voters approved in November of 2008. The City of Bell Gardens has received between \$424,000 and \$462,000 annually over the last few years. The City primarily uses Measure R funds for street improvements and is using a portion of Measure R funds for the illuminated street name sign project in FY2016. At the end of FY2015, the city had an additional \$480,000 of Measure R funds available that had not been appropriated for FY2016. The primary reason why these funds were not appropriated during the FY2016 budget process is because it was expected that certain projects would have been completed in FY2015 and the funds would not be available in FY2016. In order to expend these funds in FY2016, the city council will need to approve a budget appropriation. Appropriating these funds will allow the progress of street and alley repaving projects to continue in FY2016. Currently, the city is in need of appropriated funding for alley improvements which will later be brought to council for authorization to approve the plans, specs and advertisement.

**Recommendation:** It is staff's recommendation that the City Council approve Resolution No. 2016-11, appropriating \$480,000 of available Measure R funds for fiscal year (FY) 2016.

City Manager Phil Wagner introduced Finance Director Will Kaholokula who gave a PowerPoint presentation.

Mayor Pro Tem Aceituno asked how many alleys the funds could cover.

Director of Public Works Chau Vu stated that after surveying the alleys city wide, it has been determined that they could complete ten segments with the current budget.

Mayor Pro Tem Aceituno asked how many total alleys there are.

Director of Public Works Chau Vu stated that there are 18 total alleys.

City Manager Phil Wagner clarified that the staff recommendation is for Council to appropriate the funds, and staff would later return to Council with a recommendation including how many alley improvements to be completed and where they are located.

A motion was made by Mayor Pro Tem Aceituno and seconded by Council Member Flores, to approve Resolution No. 2016-11, appropriating \$480,000 of available Measure R funds for fiscal year (FY) 2016. The motion carried 5-0 with the following vote.

AYES: Flores, Mendoza, Pulido, Aceituno, Rodriguez  
NOES: None  
ABSENT: None  
ABSTAIN: None

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

No comments.

**CITY COUNCIL MEMBER COMMENTS**

Council Member Flores thanked everyone for attending the Council meeting, commented on the sale of the shopping center, and wished everyone a good night.

Council Member Mendoza thanked staff and commented on the new park.

Council Member Pulido thanked everyone for attending the Council meeting, and thanked the Police Department for serving the community and for a successful Coffee with a Cop event.

Mayor Pro Tem Aceituno thanked Community Development Director Abel Avalos for attending the Legislative Briefing on the Eco Rapid Transit Line, on his day off. He also thanked City Manager Phil Wagner for attending the briefing and making the luncheon possible for the attendants. He asked for a status on the street signs project. City Manager Phil Wagner and Director of Public Works Chau Vu reported that the signs would be installed by the end of March. Lastly, Mayor Pro Tem Aceituno asked for pictures of what the signs look like to be sent to the Council.

Mayor Rodriguez commented on the sale of the shopping center, the City's relationship with Primestor and thanked Primestor for being a part of the Bell Gardens family. She also thanked the Department heads and the Chief of Police for their work in the community.

**ADJOURNMENT** – Mayor Rodriguez adjourned the City Council meeting at 6:50 p.m.

  
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Kristina Santana  
City Clerk