



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, JUNE 13, 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 Pro Tem Aceituno called the meeting to order at 5:03 p.m.

ROLL CALL OF CITY COUNCILMEMBERS

Present: Flores, Mendoza, Pulido (arrived at 5:09 p.m.), Aceituno
Absent: Rodriguez

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

Mayor Pro Tem Aceituno opened the public comment period. There were no speakers. Mayor Pro Tem Aceituno closed the public comment period and asked the Assistant City Attorney John Lam to announce the Closed Session items. The Council then recessed to the Council Conference Room (See page 2 for a report on Closed Session) at 5:04 p.m. to discuss the following matters:

CLOSED SESSION ITEMS:

- a. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Government Code Section 54956.9(a))
One (1) Matter
Lindsay et al. v. City of Bell Gardens, Case No. 2:15-cv-09693-JFW-AJW
- b. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**
(Government Code Section 54956.9(d)(4))
One (1) Matter

2. **MINUTES**

May 9, 2016– Regular Meeting Minutes

Recommendation: It is staff’s recommendation that the City Council approve the Regular City Council Meeting of May 9, 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	04/26/16	Check #s	157439 - 157495		<u>\$ 412,142.98</u>
Warrant register	05/03/16	Check #s	157496 - 157588		
Wire transfers	04/28/16	Wire #s	1098 - 1099	<u>\$ 376,658.19</u>	
Payroll transfer	04/28/16		Net payroll	<u>\$ 373,546.29</u>	<u>\$ 750,204.48</u>
Warrant register	05/10/16	Check #s	157589 - 157661		<u>\$ 156,335.90</u>
Warrant register	05/17/16	Check #s	157662 - 157750		
Wire transfers	05/12/16	Wire #s	1100 - 1101	<u>\$ 620,296.15</u>	
Payroll transfer	05/12/16		Net payroll	<u>\$ 363,607.36</u>	<u>\$ 983,903.51</u>
Total =					<u>\$ 2,302,586.87</u>

In approving the action of receiving and filing the warrant registers, 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.

5. **APRIL 2016 TREASURER’S REPORT**

The Treasurer’s Report for Cash and Investments for the month of April 2016 is attached.

Recommendation: It is recommended that the City Council receive, approve, and file the April 2016 Treasurer’s Report.

6. **REJECTION OF CLAIM**

The City directed the original claim to Carl Warren & Company. Following an investigation by the City’s claims management administrator, this claim is being presented for rejection.

property maintenance standards. Amendments to the Ordinance were enacted in 1998 and 2002. The proposed draft ordinance will remove unenforceable citation provisions, and Officers will be able to rely on updated, and newly created, remedy and penalty provisions. The proposed amendment would allow Officers to give a shorter compliance deadline than ten (10) days, including a twenty-four (24) deadline, if emergency circumstances demand immediate corrective action by property owners. The proposed amendment also prohibits graffiti that is visible from any real property, public street, sidewalk, alley, or other public right-of-way. The proposed amendments will clarify the property maintenance regulations for the public, and will allow Officers to enforce the City's laws in a more efficient and effective manner.

Recommendation: It is staff's recommendation that the City Council introduce and waive first reading of Ordinance No. 876 entitled "An Ordinance of the City Council of the City of Bell Gardens Amending Chapter 16.20 of Title 16 of the Bell Gardens Municipal Code, Relating to the Maintenance of Property." The proposed amendments include: 1) elimination of citation provisions that are not enforceable under the existing Municipal Code; 2) creation of remedy and penalty provisions that are enforceable and consistent with the existing Municipal Code; 3) modification of the enumerated property maintenance offenses to provide additional clarification; and 4) addition of a specific property maintenance offense related to the abatement of graffiti.

City Manager Phil Wagner gave an introduction to the item and asked Director of Community Development Abel Avalos to give a presentation.

After some discussion, a motion was made by Council Member Flores and seconded by Council Member Mendoza to introduce and waive first reading of Ordinance No. 876 entitled "An Ordinance of the City Council of the City of Bell Gardens Amending Chapter 16.20 of Title 16 of the Bell Gardens Municipal Code, Relating to the Maintenance of Property.". The motion carried 5-0 with the following vote.

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

9. AMENDMENT TO THE CITY'S CARD CLUB LICENSE REGULATIONS ORDINANCE

The City enacted the Card Club License Regulations Ordinance in 1982 (the "Ordinance"), adding Chapter 5.25 to the BGMC. The licensing requirements and regulations provide for the public health, safety, and welfare of the community. When the Ordinance was adopted the State's gambling industry was almost completely unregulated, and the Ordinance, and subsequent amendments, were necessary to protect the interests of the City and the public. Since the City adopted the Ordinance, the State has taken on the burden of regulating, reviewing, investigating, and approving card clubs and card club employees, mainly through the Gambling Control Act (the "Act"). Under the Act there are two State entities that regulate gambling as it relates to card clubs, the Gambling Control Commission (the "Commission") and the Bureau of Gambling Control (the "Bureau"). With the State regulations in place, some of the City's regulations have become outdated and require updates to reflect changes in State law and general nomenclature. Additionally, with the addition of a hotel to the Bicycle Casino, consideration was necessary to make certain amendments to the Ordinance to address ambiguities that have arisen. The proposed changes to the Ordinance would update outdated portions of the Ordinance to reflect changes in State law, address ambiguities that have arisen as a result of the addition of a hotel to the Bicycle Casino, and clean-up portions of the Ordinance identified by City Staff. The proposed amendment can be made to the Ordinance without jeopardizing the public's health,

After some discussion, a motion was made by Council Member Flores and seconded by Council Member Pulido to accept the construction contract for the Citywide Illuminated Street Name Signs Replacement Project as complete and authorize staff to file the Notice of Completion. The motion carried 5-0 with the following vote.

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

11. CITY COUNCIL APPOINTMENTS TO EXTERNAL COMMITTEES

The City of Bell Gardens resides within a larger geo-political environment with a variety of complex issues and concerns. Council Members are typically appointed as representatives on various external boards, commissions, and committees who serve the larger geo-political region.

Recommendation: It is staff's recommendation that the City Council make changes, reappointments, or appointments as necessary to the attached, revised matrix of Council Appointments to External Regulatory and Advisory Boards, Commissions, and Committees.

City Manager Phil Wagner gave an introduction to this item.

After some discussion, a motion was made by Mayor Rodriguez and seconded by Council Member Flores to postpone this item to the next Council Meeting. The motion carried 5-0 with the following vote.

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

12. APPROVAL OF FISCAL YEAR 2016/17 OPERATING AND CAPITAL IMPROVEMENT BUDGETS AND COMPENSATION PLAN; AND ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2016/17

In the upcoming FY16/17, after contributing \$200,000 to reserves, the General Fund is estimated to have a surplus of \$854,000 with projected revenues of \$29,561,000 and estimated expenditures of \$28,707,000. With the additional \$200,000 contribution to reserves, the balance committed to contingencies will be \$2,700,000 or 9.1% of General Fund expenditures. Annually, the City of Bell Gardens adopts a budget consisting of projected revenues and proposed expenditures. The proposed expenditures specify the spending plan for the upcoming fiscal year, while the projected revenues address the resources expected to be available to fund the expenditures. Depending on the difference between the proposed expenditures and projected revenues, there will be a deficit, surplus or a balanced budget. Once approved by the City Council, the proposed expenditures are considered appropriated (at the fund level) and become available to be spent. The process to formulate the proposed expenditures begins with the city manager instructing each city department to prepare budget worksheets which detail their respective department's spending plans for the upcoming fiscal year. The budget worksheets are reviewed by the finance department. Budget meetings are then held with each respective department, finance department and the city manager's office to review and discuss the proposed spending plans and make adjustments as necessary. Projected FY16/17 revenues are developed by the finance department along with input from other city departments. The process to project the upcoming fiscal year's revenues

Council Member Flores thanked staff and made a motion to bring the council reorganization item to the next Council meeting. The motion was seconded by Mayor Rodriguez and there was no objection.

Council Member Mendoza thanked staff and commended Officer Aguirre. He expressed condolences to the people of Orlando after the recent tragic events.

Council Member Pulido commented on the Community Picnic and thanked the Police Department, Recreation and Community Services and Neighborhood Watch.

Mayor Pro Tem Aceituno thanked staff for working hard on the budget and wished everyone a Happy Father's Day.

Mayor Rodriguez commented on working as a team to represent the City of Bell Gardens and expressed her gratitude to staff and fellow Council Members.

ADJOURNMENT– Mayor Rodriguez adjourned the City Council meeting at 7:55 p.m.



Kristina Santana
City Clerk