



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, OCTOBER 24, 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 Aceituno called the meeting to order at 5:00 p.m.

ROLL CALL OF CITY COUNCILMEMBERS

Present: Flores, Pulido (arrived at 5:15 p.m.), Mendoza, Aceituno
Absent: Rodriguez

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

Mayor Aceituno opened the public comment period. There were no speakers. Mayor Aceituno closed the public comment period and asked the City Attorney Arnold Alvarez-Glasman to announce the Closed Session items. The Council then recessed to the Council Conference Room (See page 2 for report on Closed Session) at 5:01 p.m. to discuss the following matters:

CLOSED SESSION:

(1) Conference with Labor Negotiators

Government Code Section 54957.6

City Negotiators: City Manager, Assistant City Manager, and Director of Finance and Administrative Services

Employee Organizations:

Bell Gardens Police Officers Association

Bell Gardens Police Management Association

(2) Conference with Legal Counsel – Potential Litigation

Pursuant to Government Code Section 54956.9(d)(4)

One (1) Matter



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

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CALL TO ORDER – Mayor Aceituno called the meeting to order at 6:10 p.m.

CLOSED SESSION REPORT

City Attorney Arnold Alvarez-Glasman reported that four members of the City Council were present in closed session; Council Member Flores, Council Member Pulido, Mayor Pro Tem Mendoza and Mayor Aceituno. The City Council received a briefing from the Agency's negotiator with respect to the conference with labor negotiator matter and no action was taken. Under conference with legal counsel – potential litigation, one matter was discussed. The City Attorney provided a briefing to Council Members, there was no final action taken with respect to issues of litigation or any other matter of expected litigation but direction was provided to the City Attorney's office.

INVOCATION – was led by Pastor Richard Jarman.

PLEDGE OF ALLEGIANCE – was led by Assistant City Manager John Oropeza.

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Flores, Pulido, Mendoza, Aceituno
Absent: Rodriguez

PRESENTATION

- **Congressional Certificate of Excellence in Financial Reporting Recognition**
Field Deputy Cynthia Morales presented the Congressional Certificate of Achievement on behalf of Congresswoman Lucille Roybal-Allard.

**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 – 5)

Council Member Flores pulled Agenda Item #3 for separate discussion.

A motion was made by Mayor Pro Tem Mendoza and seconded by Council Member Flores, to approve Items No. 1-5, excluding No. 3 on the Consent Calendar.

The motion carried 4-0 with the following vote.

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

October 10, 2016– Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the Regular City Council Meeting of October 10, 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.

A motion was made by Council Member Flores, and seconded by Mayor Pro Tem Mendoza, to appoint Andrew Leon to the Planning Commission.

The motion carried 4-0 with the following vote.

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

4. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant register	09/27/16	Check #s	159262 – 159334		\$ 134,010.27
Warrant register	09/27/16	Check #s	159335		\$ 1,948.26
Warrant register	10/04/16	Check #s	159336 – 159409		
Wire transfer	09/29/16	Wire #s	1122 – 1123	\$ 746,030.62	
Payroll transfer	09/29/16		Net payroll	\$ 431,331.11	\$ 1,177,361.73

Total = \$ 1,313,320.26

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.

5. **REJECTION OF CLAIM**

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

Recommendation: It is staff's recommendation that the City Council reject the claim filed by Mario Ibarra Aleman. The claim is being presented for rejection following a recommendation by the City's claims management administrator, Carl Warren & Company, and in a manner that allows the claimant, subject to certain exceptions, up to six months to file a court action on the claim.

DISCUSSION (Item No. 6)

6. **CALIFORNIA SENATE BILL 415 "VOTER PARTICIPATION" AND DIRECTION REGARDING TIMING OF TRANSITIONING TO A STATEWIDE ELECTION DATE**

On September 1, 2015, Governor Brown signed into law Senate Bill 415 (SB 415) "Voter Participation" which prohibits local governments, beginning January 1, 2018, from holding an election on any date other than on a statewide election date if doing so has resulted in voter turnout being at least 25% below the average turnout in that jurisdiction in the previous four statewide general elections. The public policy behind SB 415 was to address waning civic engagement in politics as illustrated by declining voter turnout in federal, state, and municipal elections. The proposed synchronization plan would move the November 2017 City election to November 2018 and move the November 2019 City election to November 2020. Upon the City Council providing this direction, staff will return to a future City Council meeting with the appropriate ordinance to effectuate the synchronization of the City's general municipal elections with the even-year statewide election dates. The fiscal impacts associated with this item are unknown at this time. Election costs vary based on the number of agencies consolidating in a particular election, number of candidates, number of polling sites, etc.

Recommendation: It is recommended that the City Council direct staff to begin synchronization of the City's general municipal elections with statewide election dates in November of even numbered years, beginning with the statewide election date of November 2018 and fully synchronized by November 2020, in accordance with California Senate Bill 415.

City Manager Phil Wagner gave a brief introduction.

City Clerk Kristina Santana to give a PowerPoint presentation.

A motion was made by Mayor Pro Tem Mendoza and seconded by Council Member Pulido, to direct staff to begin synchronization of the City's general municipal elections with statewide election dates in November of even numbered years, beginning with the statewide election date of November 2018 and fully synchronized by November 2020, in accordance with California Senate Bill 415.

The motion carried 4-0 with the following vote.

Regular City Council
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AYES: Flores, Pulido, Mendoza, Aceituno
NOES: None
ABSENT: Rodriguez
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 Pulido thanked everyone for attending the Council Meeting and congratulated the Finance staff for their hard work.

Council Member Flores thanked everyone for attending the Council Meeting and congratulated the Finance staff for their hard work and continued support of moving Bell Gardens forward.

Mayor Pro Tem Mendoza congratulated the Finance Department and commended the Police Department for their work in the schools. He also commended Pastor Jarmon on his recent weight loss success.

Mayor Aceituno thanked the Police Department for putting together a great Pet Adoption Fair. He asked the City Manager for a memo to the Council regarding the tree removals at Ford Park.

ADJOURNMENT – Mayor Aceituno adjourned the City Council meeting at 6:29 p.m.



Kristina Santana
City Clerk

