

**CITY OF BELL GARDENS  
CITY COUNCIL  
REGULAR MEETING  
MONDAY, FEBRUARY 13, 2017, 6:00 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 City Clerk at (562) 806-7704. 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 Mendoza called the meeting to order at 6:06 p.m.

**ROLL CALL OF CITY COUNCIL MEMBERS**

Present: Aceituno, Flores, Pulido, Rodriguez (arrived at 6:18 p.m.) Mendoza  
Absent: None

**PRESENTATIONS**

- **Proclamation in Recognition of Bell Gardens Folklorico Team Grupo Folklorico Iztaccihuatl de Bell Gardens**  
Mayor Pro Tem Flores and the Council recognized instructor Miguel A. Bracamontes and all the team members for their outstanding achievements and for bringing positivity to the City of Bell Gardens.
  
- **Proclamation in Recognition of Montebello Unified School District Superintendent of Administration Ricardo Mendez**  
Mayor Mendoza and the Council recognized Mr. Ricardo Mendez for making a difference in the community and empowering students throughout his tenure as teacher and administrator.

**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)**

A motion was made by Council Member Aceituno and seconded by Council Member Flores, to approve Items No. 1-5 on the Consent Calendar.

The motion carried 5-0 with the following vote.

AYES: Aceituno, Flores, Pulido, Rodriguez, Mendoza  
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**

January 18, 2017 – Special Meeting Minutes  
 January 23, 2017 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council approve the Special City Council Meeting minutes of January 18, 2017 and the Regular City Council Meeting minutes of January 23, 2017.

**3. AB1234 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.

**4. WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant register	01/10/17	Check #s	160353 - 160444		
Wire transfer	01/05/17	Wire #s	1136 - 1137	\$ 417,713.51	
Payroll transfer	01/05/17		Net payroll	<u>\$ 369,001.61</u>	<u>\$ 786,715.12</u>
Warrant register	01/17/17	Check #s	160445 - 160500		<u>\$ 56,903.60</u>
Warrant register	01/24/17	Check #s	160501 - 160595		
Wire transfer	01/19/17	Wire #s	1138 - 1139	\$1,489,632.98	
Payroll transfer	01/19/17		Net payroll	<u>\$ 453,565.06</u>	<u>\$ 1,943,198.04</u>
<b>Total =</b>					<b><u>\$ 2,786,816.76</u></b>

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. DECEMBER 2016 TREASURER'S REPORT**

The Treasurer's Report is a list of cash and investments for the month.

**Recommendation:** It is recommended that the City Council receive, approve and file the December 2016 Treasurer's Report.

**DISCUSSION (Items No. 6-9)**

**6. CITY COUNCIL APPOINTMENTS TO EXTERNAL COMMITTEES**

This item was continued from 1/23/17. 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. The Council typically makes revisions to the list yearly following the annual Council reorganization.

**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 oral presentation.

Council Member Rodriguez requested that the stipend payment for each committee be announced during the meeting.

Assistant City Attorney John Lam stated that in accordance with state law the City posts the FPPC Form 806 to the City's website, detailing every committee that pays a stipend or per diem.

Council Member Rodriguez asked for the information to be read into the record.

The Council agreed to pause discussion on this item while the City Clerk retrieved the requested information, and moved on to agenda Item #7.

After discussion and action was taken on agenda Item #7, the Council returned to agenda Item #6.

City Clerk Kristina Santana announced that she had passed out the list of external committees with stipend information to each of the Council Members and clarified that this list is routinely updated after annual appointments are made.

Council Member Rodriguez read out loud the following committees which pay a stipend to Council Members for attendance and confirmed that Council Member Aceituno is appointed to each: California Cities for Self-Reliance Joint Powers Authority, California Joint Powers Insurance Authority, Eco-Rapid Transit, Gateway Cities Council of Governments, Greater Los Angeles County Vector Control District, HUB Cities Consortium, Southeast Area Animal Control Authority. She then asked the City Clerk to read into the record the total amount of stipends provided by these external committees by month, by year, the Council's base salary as displayed on her W-2 form, and the yearly total of stipend payments added to the Council's base salary.

City Clerk Santana announced the approximate total requested by Council Member Rodriguez, of \$825 per month for all combined committees, the approximate total of \$9,900 per year for all combined committees, the base salary for Council Members as \$16,312.60, and the total of yearly stipend payments added to Council's base salary as approximately \$26,121.60.

Mayor Mendoza nominated Council Member Pulido to serve as the alternate for the California Contract Cities Association, and for the Los Angeles County City Selection Committee.

Mayor Mendoza nominated Council Member Rodriguez to serve as the alternate for the Sanitation District of Los Angeles County. Council Member Rodriguez declined the nomination. Mayor Mendoza then nominated Council Member Flores.

A motion was made by Council Member Flores, seconded by Council Member Pulido, to appoint Council Member Pulido as an alternate to the California Contract Cities

Association, and the Los Angeles County City Selection Committee, and Council Member Flores as alternate to the Sanitation District of Los Angeles County.

The motion carried 5-0 with the following vote.

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

Mayor Mendoza asked for nominations or requested changes to the rest of the External Committees List. There were no nominations or volunteers to serve on any committees.

A motion was made by Council Member Flores, seconded by Council Member Pulido, to approve the rest of the External Committees List as is with no changes.

The motion carried 5-0 with the following vote.

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

Council Member Flores asked for clarification on the payment of stipends.

City Manager Phil Wagner clarified that the City of Bell Gardens does not pay the stipend offered by each external committee, instead each individual committee pays the stipend individually and separate from the City.

Council Member Aceituno stated for the record that unlike the City Council, a Council Member must attend an external committee meeting in order to receive the stipend.

7. **ADOPT RESOLUTION NO. 2017-08 (1) APPROVING THE FINANCIAL ASSISTANCE APPLICATION FOR A FINANCING AGREEMENT FROM THE STATE WATER RESOURCES CONTROL BOARD FOR THE PLANNING AND DESIGN OF UPGRADING WELL PUMP AND INSTALLATION OF A NEW 2.0 MG (MILLION-GALLON) RESERVOIR WITH PUMP STATION, AND (2) AUTHORIZING THE CITY MANAGER TO SUBMIT SAID APPLICATION FOR THIS PURPOSE**

This item was continued from 1/23/17. On February 8, 2016, the City Council entered into a Memorandum of Understanding (MOU) with the Water Replenishment District of Southern California (WRD) to participate in the Safe Drinking Water for Disadvantaged Communities Pilot Program. Under the MOU, WRD is eligible to be reimbursed for its costs to prepare the application, which includes the technical consultants as well as environmental consultants only if the City of Bell Gardens is successful in obtaining funding from the State Board. Under the MOU, WRD would supply technical consultants, including an engineering firm, and a firm which specializes in funding for disadvantaged communities to draft and submit the application. The application is now ready to be submitted and requires a resolution authorizing the City Manager to submit the financial assistance application to the State Water Resources Control Board for the planning and design of upgrading the well pump and installing a new 2.0 million-gallon reservoir with pump station.

**Recommendation:** It is staff's recommendation that the City Council Adopt Resolution No. 2017-08 (1) approving the financial assistance application for a financing agreement

from the State Water Resources Control Board for the planning and design of a new 2 million-gallon reservoir and pump station, and (2) authorizing the City Manager to submit said financial assistance application for this purpose.

Assistant City Attorney John Lam stated that Council Member Aceituno informed staff that he would like to abstain, although this item has nothing to do with Central Basin, out of an abundance of caution he would like to abstain and will step out of the Chamber during discussion of this item.

Council Member Aceituno left the dais.

City Manager Phil Wagner gave an oral presentation.

City Engineer Sid Mousavi gave an oral presentation.

A motion was made by Council Member Pulido and seconded by Council Member Flores, to adopt Resolution No. 2017-08 (1) approving the financial assistance application for a financing agreement from the State Water Resources Control Board for the planning and design of a new 2 million-gallon reservoir and pump station, and (2) authorizing the City Manager to submit said financial assistance application for this purpose.

The motion carried 4-0 with the following vote.

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

Council Member Aceituno returned to the dais.

8. **APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO SOLICIT BIDS FOR THE VARIOUS BUILDING ROOF REPLACEMENT PROJECT – C.I.P. NO.3836/3838**

The Ford Park Recreation Center building, which houses city employees and provides services to the community for recreation programs and activities, has experienced severe roof damage causing interior damage throughout the facility. Due to serious concerns over further damage to this and the other city-owned facilities throughout the city, staff is recommending City Council approval to solicit bids for the roof replacement project for various city facilities. In addition to the above various building roof replacement, termite damage repairs will be completed on Ross Hall Facility. Upon authorization by the City Council, staff will proceed with the bid phase of the project. Below is the anticipated schedule for the project. The construction duration for this project is specified at 120 working days. The City can utilize bonds to finance the Various Building Roof Replacement Project. In 2015, the City issued a lease revenue bond that paid off a previously issued bond and included additional funding for infrastructure projects. In accordance with the bond documents, the funds must be used for City infrastructure related projects. The construction duration for this project is specified at 120 working days. The engineers estimate for the work is \$1,176,000.

**Recommendation:** As a result of recent storm weather and heavy rain activity this winter, city-owned buildings and facilities (most of them over 50 years old) are sustaining heavy roof damage making some buildings uninhabitable and causing health and safety concerns for staff and community residents. Therefore, it is staff's recommendation that the City Council:

- 1) Approve the plans and specifications for the Various Building Roof Replacement Project;
- 2) Authorize staff to solicit bids for the construction of the project; and
- 3) Find that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15061.

City Manager Phil Wagner gave an oral presentation.

City Engineer Sid Mousavi gave a PowerPoint presentation.

After some discussion, a motion was made by Council Member Aceituno and seconded by Council Member Flores, to 1) Approve the plans and specifications for the Various Building Roof Replacement Project; 2) Authorize staff to solicit bids for the construction of the project; and 3) Find that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15061.

The motion carried 5-0 with the following vote.

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

After some discussion, Mayor Mendoza nominated himself and Council Member Aceituno to create an ad hoc council committee to meet with staff to discuss the CIP projects, seconded by Council Member Flores.

The motion carried 5-0 with the following vote.

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

**9. ACCEPTANCE OF THE STREET REHABILITATION PROJECT ON SUVA STREET FROM EMIL AVENUE TO SCOUT AVENUE**

The City of Bell Gardens receives an annual allocation of Surface Transportation Program-Local (STPL) funds each year through the Transportation Equity Act. These funds are set aside for the maintenance and upgrading of local streets. The Fiscal Year 2015-16 Capital Improvement Program budget includes a total of \$244,000 of funds to complete the Street Rehabilitation Project on Suva Street from Emil Avenue to Scout Avenue. On July 25, 2016, City Council authorized staff to solicit bids for the project based on the plans, specifications and construction cost estimate prepared by the engineering team. On October 5, 2016, City Council awarded a construction contract to EBS General Engineering, Inc., in the amount of \$242,420. On December 7, 2016, EBS General Engineering, Inc. completed the construction of improvements for the Street Rehabilitation Project on Suva Street. The project's construction expenditures are \$252,510.53 which includes the construction contract (with 5% retention), construction management, construction inspection and compaction and material testing.

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

- 1) Accept the construction contract for the Street Rehabilitation Project on Suva Street from Emil Avenue to Scout Avenue as complete and;
- 2) Authorize staff to file the Notice of Completion.

Assistant City Attorney John Lam stated that Council Member Flores has recused herself because she lives within 500 feet of the project.

Council Member Flores left the dais.

City Manager Phil Wagner gave an oral presentation.

A motion was made by Council Member Aceituno and seconded by Council Member Pulido, to 1) Accept the construction contract for the Street Rehabilitation Project on Suva Street from Emil Avenue to Scout Avenue as complete and; 2) Authorize staff to file the Notice of Completion.

The motion carried 4-0 with the following vote.

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

Council Member Flores returned to the dais.

**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)**

Gloria Nezaltualcoyote asked the Council for their support in parking enforcement and trash pick-up on Greenwood Avenue where a recent change has taken place transferring enforcement from the City of Commerce to the City of Bell Gardens.

Mayor Mendoza asked the Chief of Police Robert Barnes to connect with Ms. Gloria Nezaltualcoyote.

Andrew Leon thanked the Bell Gardens Police Department for facilitation of the Homeless Count and he urged community leaders to advocate for Measure H. He provided flyers to the Council.

Jake Torres introduced his company Alliance Building Solutions and stated that he hopes to work with the City in the future.

**CITY COUNCIL MEMBER COMMENTS**

Council Member Aceituno thanked everyone in attendance and congratulated the folklorico instructor and the parents for their participation. He thanked Ms. Gloria Nezaltualcoyote for attending the Council Meeting to express her concerns. He stated that the Gateway Cities Council of Government recently approved support of Measure H. Lastly, he thanked staff for doing a great job.

Council Member Pulido thanked everyone for attending the meeting and wished everyone a Happy Valentine's Day.

Mayor Pro Tem Flores thanked everyone for attending the meeting, congratulated the folklorico group and commended the Recreation department for continuing such programs benefitting the

community. She thanked the community members for attending the council meeting for sharing their concerns. She offered her support to Mr. Andrew Leon to help advocate for Measure H.

Mayor Mendoza invited Mr. Andrew Leon to attend his classroom to raise awareness of Measure H to help the homeless. He thanked everyone for attending the meeting. He thanked City Clerk Santana for being responsive to Council's requests. He thanked Council Member Aceituno for attending external committee meetings and sharing what he has learned with the rest of the Council.

**ADJOURNMENT** – Mayor Mendoza adjourned the City Council meeting at 7:25 p.m. in memory of Noel Madrigal, a Bell Gardens resident who recently passed away.



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Kristina Santana  
City Clerk