



**CITY OF BELL GARDENS  
CITY COUNCIL  
REGULAR MEETING  
MONDAY, NOVEMBER 12, 2018, 6:00 PM  
AGENDA**

**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. Any writings or documents provided to the majority of the City Council/Successor Agency regarding any item on this agenda will be made available for public inspection at the Receptionist Counter, City Hall, 7100 Garfield Avenue, Bell Gardens, CA, during normal business hours.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Pedro Aceituno, Council Member  
Priscilla Flores, Council Member  
Jennifer Rodriguez, Council Member  
Jose J. Mendoza, Mayor Pro Tem  
Maria Pulido, Mayor

**PUBLIC HEARING (Item No. 1)**

- 8000 BELL GARDENS AVENUE RESIDENTIAL PROJECT; MITIGATED NEGATIVE DECLARATION; ZONE CHANGE NO. 2018-080 - ORDINANCE NO. 856; TENTATIVE TRACT MAP NO. 78222 WITH STREET VACATION; CONDITIONAL USE PERMIT AND VARIANCE NO. 2018-080; 8000 BELL GARDENS AVENUE, BELL GARDENS (FILE NO. 2018-080)**

This item would approve a 48-unit market-rate residential development on a 2.47 acre vacant site at 8000 Bell Gardens Avenue. Among the entitlements being considered are: adoption of the Mitigated Negative Declaration; approval of a zone change; approval of a Tentative Tract Map; approval of a partial street vacation; and approval of a Conditional Use Permit and Variance.

**Recommendation:**

It is staff recommendation that the City Council by motion:

1. Adopt Resolution No. 2018-56 (Exhibit A) adopting the Mitigated Negative Declaration and Mitigation Monitoring & Reporting Program pursuant to the California Environmental Quality Act (CEQA);
2. Introduce and waive first reading of Ordinance No. 892 (Exhibit B) approving Zone Change No. 2018-080 to amend the Official Zoning Map to change the zoning designation for the property located at 8000 Bell Gardens Avenue from R-1 (Single Family Residential) to R-3 (Medium Density Residential) / RPDD (Residential Planned Development District) overlay I;
3. Adopt City Council Resolution No. 2018-57 (Exhibit C) approving Tentative Tract Map No. 78222 to allow the consolidation of two existing lots and a Street Vacation to vacate the segment of Bell Gardens Avenue to Quinn Street for the subdivision of 48 residential condominium units; and
4. Adopt City Council Resolution No. 2018-58 (Exhibit D) approving Conditional Use Permit No. 2018-080 to allow the development of a 48 unit residential condominium project and Variance No. 2018-080 to allow the development of the project with a reduction in the minimum common open space required under Section 9.18.040.D (Residential Planned Development District Standards) of the Bell Gardens Municipal Code.

## **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

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

This public comment period is for items listed on the CITY COUNCIL AGENDA ONLY. Submit a WHITE public comment card with the agenda item number you would like to discuss to the City Clerk prior to the start of this period. Cards that are submitted with no agenda item listed will be moved to the final public comment period. There will be no further cards accepted once the public comment period has started. Comments are limited to three (3) minutes per person, subject to an overall thirty (30) minute period. Please direct your comments to the Mayor and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the City Council from discussing any item not appearing on the posted City Council Agenda.

## **CONSENT CALENDAR (Items No. 2-9)**

All matters listed under the Consent Calendar are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council request specific items to be removed from the Consent Calendar for separate action. Items called for separate discussion will be heard as the next order of business

## **2. GENERAL MOTION TO WAIVE FULL READING AND APPROVE ORDINANCES BY TITLE ONLY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 36934**

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 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.

**3. MINUTES OF THE OCTOBER 22, 2018 REGULAR CITY COUNCIL MEETING**

October 22, 2018 - Regular Meeting Minutes

**Recommendation:**

It is staff recommendation that the City Council approve the minutes of the Regular City Council Meeting of October 22, 2018.

**4. WARRANT REGISTERS AND WIRE TRANSFERS**

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.

**Recommendation:**

It is staff recommendation that the City Council receive and file the warrant registers, wire transfers, and net payroll dated 10/09/18, 10/11/18, 10/16/18, and 10/23/18.

**5. SEPTEMBER 2018 TREASURER'S REPORT**

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

**Recommendation:**

It is staff recommendation that the City Council receive, approve and file the September 2018 Treasurer's Report.

**6. SIDE LETTER OF AGREEMENT WITH BGCEA**

The Bell Gardens City Employees' Association (CEA) and City of Bell Gardens met to consider closing City Hall and other City facilities for the week of Christmas (12/24-12/28) and New Year's Day (12/31-1/4). CEA members will use 60 hours of leave time during this period,

**Recommendation:**

It is staff's recommendation that the City Council approve the attached resolution, approving a side letter agreement with Bell Gardens City Employees' Association.

**7. AWARD OF CONSTRUCTION CONTRACT FOR THE GAGE AVENUE STREET IMPROVEMENT PROJECT – C.I.P. NO. 3873**

On September 24, 2018, the City Council approved the plans and specs and authorized staff for bid solicitations for the construction of the Gage Avenue Street Improvement Project. All American Asphalt has been identified as the lowest responsible bidder, and staff is recommending the award of a construction contract for \$353,700. The scope of work consists of concrete repairs of the curb, gutters, cross gutters, and sidewalks, concrete pavement repairs, installation of ADA access ramps, pavement grinding and asphalt paving, signing and striping improvements.

**Recommendation:**

It is staff recommendation that the City Council by motion:

1. Award a construction contract to All American Asphalt, in the amount of \$353,700 for the Gage Ave Street Improvement Project; and
2. Authorize staff to execute the agreement and approve change orders that may be necessary during construction to cover any unforeseen condition in an amount not to exceed 10% of the construction contract.

**8. AWARD OF CONSTRUCTION CONTRACT FOR THE STREET REHABILITATION (SB 1 LIST) PROJECT – C.I.P. NO. 3870**

On September 24, 2018, the City Council approved the plans and specs and authorized staff for bid solicitations for the construction of various streets. Shawnan has been identified as the lowest responsible bidder, and staff is recommending the award of a construction contract for \$758,635.50. The scope of work consists of concrete repairs of the curb, gutters, cross gutters, and sidewalks, installation of ADA access ramps, pavement grinding and asphalt paving, signing and striping improvements.

**Recommendation:**

It is staff recommendation that the City Council by motion:

1. Award a construction contract to Sialic Contractors Corp. dba Shawnan, in the amount of \$758,635.50 for the Street Rehabilitation Project; and
2. Authorize staff to execute the agreement and approve change orders that may be necessary during construction to cover any unforeseen condition in an amount not to exceed 10% of the construction contract.

**9. ADOPTING A TITLE VI POLICY TO ENSURE THE CITY WILL RECEIVE METRO SECTION 5310 GRANT FUNDS FOR THE PURCHASE OF 1 SENIOR BUS**

The City of Bell Gardens was awarded funding under the FY 2017 Solicitation Federal Section 5310 Program in Spring 2017 for the purchase of a replacement vehicle for the Senior Bus Program. A requirement for receipt of the funds is City approval of a Title VI Policy, which prohibits discrimination based upon race, color, or national origin.

**Recommendation:**

It is staff recommendation that the City Council by motion adopt the attached Resolution approving Title VI Policy to ensure City will receive Metro Section 5310 grant funds for the purchase of one (1) Senior Bus.

## **DISCUSSION (Item No. 10)**

### **10. APPROVING RIVERS AND MOUNTAINS CONSERVANCY PROPOSITION 1 GRANT APPLICATION FOR JULIA RUSS ASMUS PARK STORM WATER INFILTRATION AND RESTORATION PROJECT**

The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) is one of ten conservancies within the Natural Resources Agency whose mission is to preserve open space and habitat in order to provide for low-impact recreation and educational uses, wildlife habitat restoration and protections, and watershed improvements. In November 2014, the voters of California approved the Water Quality, Supply, and Infrastructure Improvement Act of 2014 ("Proposition 1"). More recently, the RMC approved the final guidelines for projects to protect and enhance an urban creek. The City's engineers have performed an evaluation on the storm drain structure located on the corner of Jaboneria Road and Shull Street as a potential project to address recurring flooding in the area and explore solutions with green elements for the adjacent park known as Julia Russ Asmus Park. Since this project meets the guidelines for the RMC grant application, staff is proposing to submit the Julia Russ Asmus Park Storm Water Infiltration and Restoration Project for Prop 1 funding. The grant requires the City Council to adopt a resolution in order to submit the application for funding.

#### **Recommendation:**

It is staff recommendation that the City Council by motion adopt the attached Resolution approving the application for local assistance funds from the RMC Proposition 1 Grant Program for the Julia Russ Asmus Park Storm Water Infiltration and Restoration Project.

## **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)**

This public comment period is for items UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL ONLY. Submit a PINK public comment card with the matter you would like to discuss to the City Clerk prior to the start of this period. There will be no further cards accepted once the public comment period has started. Comments are limited to three (3) minutes per person, subject to an overall thirty (30) minute period. Please direct your comments to the Mayor and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the City Council from discussing any item not appearing on the posted City Council Agenda.

## **CITY COUNCIL MEMBER COMMENTS**

## **ADJOURNMENT**

Posted by: Kristina Santana, City Clerk Date: November 8, 2018 Time: 2:00 p.m.