



**CITY OF BELL GARDENS
 SUCCESSOR AGENCY TO THE COMMUNITY
 DEVELOPMENT COMMISSION
 REGULAR MEETING
 MONDAY, SEPTEMBER 28, 2015, 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 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 – Chair Rodriguez called the meeting to order at 6:01 p.m.

INVOCATION – was led by Pastor Solórzano from Iglesia Vida En Victoria.

PLEDGE OF ALLEGIANCE – was led by Agency Member Mendoza.

ROLL CALL OF SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBERS

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

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

No comments.

CONSENT CALENDAR (Items No. 1 – 2)

A motion was made by Vice Chair Aceituno and seconded by Agency Member Mendoza to approve Items No. 1-2 on the Consent Calendar. The motion carried by a vote of 5-0.

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

1. MINUTES

September 14, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the Successor Agency to the Community Development Commission approve the minutes for the Regular Successor Agency Meeting of September 14, 2015.

2. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the Successor Agency receive and file the following transactions.

Warrant register dated	09/01/15	Check #s	12755 - 12756	\$	<u>8,705.05</u>
Warrant register dated	09/08/15	Check #s	12757	\$	<u>200.00</u>
			Total	\$	<u><u>8,905.05</u></u>

DISCUSSION (Items No. 3 – 4)

3. SUCCESSOR AGENCY APPROVAL OF THE RECOGNIZED OBLIGATION PAYMENTS SCHEDULE 15-16B AND THE JANUARY – JUNE 2016 ADMINISTRATIVE BUDGET

The redevelopment dissolution laws (AB 1x 26, et.al) established a comprehensive statutory process for the dissolution and wind down of all redevelopment agencies. Pursuant to AB 1x 26, three matters are being presented to the SA Board for consideration of approval: 1) ROPS 15-16B; 2) Administrative Budget for January 1 – June 30, 2016; and 3) Use of Other Funds to pay for enforceable obligations.

Recommendation: It is recommended that the Successor Agency (SA) adopt Resolution No. SA 2015-05 approving:

- A. The Recognized Obligations Payment Schedule 15-16B (ROPS 15-16B);
- B. The Administrative Budget for January 1 through June 30, 2016; and
- C. The 'Use of Other Funds' to pay for SA enforceable obligations.

Director of Finance Will Kaholokula gave a presentation.

Assistance City Attorney John Lam gave a PowerPoint presentation on Senate Bill 107.

A motion was made by Agency Member Mendoza and seconded by Agency Member Flores to adopt Successor Agency Resolution No. 2015-05 approving: A. The Recognized Obligations Payment Schedule 15-16B (ROPS 15-16B); B. The Administrative Budget for January 1 through June 30, 2016; and C. The 'Use of Other Funds' to pay for SA enforceable obligations. The motion carried by a vote of 5-0.

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

4. APPROVAL OF INTEREST ON CITY LOANS TO THE FORMER BELL GARDENS COMMUNITY DEVELOPMENT COMMISSION

The Dissolution Law (Assembly Bill 1x26 as amended) generally invalidated all loan agreements between a city and its redevelopment agency. However, successor agencies that have received a "finding of completion" may apply to have such loans reinstated. Following Oversight Board and Department of Finance (DOF) approval, reinstated loans qualify for repayment on the successor agency's Recognized Obligations Payment Schedule. The Successor Agency obtained its finding of completion on October 16, 2013. On February 23, 2015, the SA approved the reinstatement of loan agreements between the City and the former Bell Gardens Community Development Commission (CDC) for project loans made by the City to the CDC between 1973 and 1991. The total principal and interest approved for repayment to the City was \$43,657,032 as of June 30, 2015.

Recommendation: Staff recommends that the Successor Agency Members adopt Resolution No. 2015-06 approving the interest portion owed to the City for loan agreements between the City of Bell Gardens (the City) and the Successor Agency (SA) for project loans made between 1973 and 1991.

Director of Finance Will Kaholokula gave a presentation.
Agency Member Flores asked for clarification on the approval process.

Director of Finance Will Kaholokula clarified that the Successor Agency approves first, then it moves to the Oversight Board for approval and then it moves to the State Department of Finance for final approval.

City Manager Phil Wagner reminded the Council that the funds in question were loans made by the City of Bell Gardens to the Bell Gardens Development Commission.

Vice Chair Aceituno asked if the City would be able to challenge the State Department of Finance if they do not approve the items.

Assistant City Attorney John Lam stated that the City would have the right to challenge the State Department of Finance.

A motion was made by Agency Member Flores and seconded by Vice Chair Aceituno to adopt Successor Agency Resolution No. 2015-06 approving the interest portion owed to the City for loan agreements between the City of Bell Gardens (the City) and the Successor Agency (SA) for project loans made between 1973 and 1991. The motion carried by a vote of 5-0.

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 SUCCESOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION

No comments.

SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

No comments.

ADJOURNMENT – Chair Rodriguez adjourned the Successor Agency meeting at 6:23 p.m.



Kristina Santana
Successor Agency Secretary



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, SEPTEMBER 28, 2015, 6:00 P.M.
MINUTES**

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

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CALL TO ORDER – Mayor Rodriguez called the meeting to order at 6:23 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

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

PRESENTATIONS

- **Red Cross Presentation**
Executive Director for the Los Angeles Region of the Red Cross, Margaret Arbini-Madonna gave a PowerPoint presentation and thanked the Council and the City for participating in the PrepareSoCal program and becoming the most prepared City in Los Angeles.
- **Recognition of Officer Edward Curbelo and Victor Ruiz for Receipt of CHP 10851 Award**
California Highway Patrol Captain Tim Tompkins presented the 10851 Award to Officers Victor Ruiz and Edward Curbelo.
- **After School All-Stars Los Angeles Presentation and Recognition of Donny Fa'aliliu and Ana Campos**
Councilmember Mendoza played a video and the Council presented Donny Fa'aliliu, Ana Campos and Kimberly Daniels with a certificate of recognition.
- **2015 Miss Bell Gardens Presentation**
Recreation Coordinator Angie Contreras and Pageant Director Sylvia Blush gave a presentation and introduced the 2015 Miss Bell Gardens participants: Frida Mendoza, Vanessa Perez, Monique Morales, and Adriana Lara.
- **Gateway Cities STP Presentation**
Director of Public Works Chau Vu gave a brief introduction to the Gateway Cities Strategic Transportation Plan and introduced Gary Hamrick of Cambridge Systematics who gave a PowerPoint presentation.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

No comments.

CONSENT CALENDAR (Items No. 1 – 8)

Mayor Pro Tem Aceituno pulled Agenda Item 8 for further discussion.

A motion was made by Councilmember Mendoza and seconded by Councilmember Flores to approve Items No. 1-7 on the Consent Calendar. The motion carried by a vote of 5-0.

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

September 14, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the Regular City Council Meeting of September 14, 2015.

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	09/01/15	Check #s	154893 - 154960		\$
					<u>373,340.30</u>
Warrant register	09/08/15	Check #s	154961 - 155025		
Wire transfers	09/03/15	Wire #s	1062 - 1063	\$	
				389,413.93	
Payroll transfer	09/03/15		Net payroll	\$	\$
				<u>367,965.87</u>	<u>757,379.80</u>
Warrant register	09/08/15	Check #s	155026 - 155027		\$
					<u>80,596.46</u>
				Total =	\$
					<u>1,211,316.56</u>

5. **ORDINANCE NO. 866: ZONING CODE AMENDMENT NO. 2015-001**

In 2007 the City Council adopted a comprehensive Zoning Code Update establishing land use and development regulations for commercial zones in the City. The City's Zoning Code is silent with regard to pawnshops and, therefore, are considered a prohibited land use. Pawnshops that legally existed at the time of adoption of the comprehensive Zoning Code Update were made nonconforming and allowed to continue subject to the Zoning Code regulations governing nonconforming, nonresidential land uses. Zoning Code regulations require nonconforming nonresidential land uses to be terminated within 40 years of the effective date of the ordinance adopting the comprehensive Zoning Code Update, unless the property owner of the nonconforming use obtains approval of a five year conditional use permit. The Zoning Code allows for one additional five year term, after which term, no further extensions of the conditional use permit are allowed. As such, under the current code, the maximum period in which a legal nonconforming, nonresidential use may operate is fifty (50) years. Adoption of Ordinance No.866 would provide permanent legal status through the conditional use permit process for those pawnshops that are legal nonconforming uses possessing a valid conditional use permit pursuant to the current Zoning Code requirements. At the regular meeting of September 14, 2015, the City Council introduced and conducted first reading of Ordinance No. 866 approving Zoning Code Amendment No. 2015-001. A summary of Ordinance No. 866 was published in the Bell Gardens Sun publication on Thursday, September 17, 2015.

Recommendation: It is staff's recommendation that the City Council of the City of Bell Gardens waive a second reading and adopt Ordinance No. 866, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS CALIFORNIA AMENDING THE CITY OF BELL GARDENS MUNICIPAL CODE, ZONING AND PLANNING REGULATIONS, CHAPTER 9.04, "DEFINITIONS," SECTION 9.04.160 "P DEFINITIONS," TO ADD A DEFINITION FOR PAWNSHOPS, AND Chapter 9.12, "commercial zones," Section 9.12.030 "permitted uses table 9.12.A: commercial land use matrix," to add pawnshops as a conditionally permitted use in the HEAVY commercial (c-4) zone (ZONING CODE AMENDMENT NO. 2015-001)."

6. **ORDINANCE NO. 867: ZONING CODE AMENDMENT NO. 2015-045**

In 2007 the City Council adopted a comprehensive Zoning Code Update establishing land use and development regulations for signs in the City. The City's Zoning Code is silent with regard to electronic display signs, and as such, these signs are considered prohibited. Staff has determined that the Zoning Code should be amended to allow for these types of signs subject to locational and design regulations. Adoption of Ordinance No. 867 would conditionally permit electronic display signs in the following locations:

- a) M-1 Zone along Florence Avenue between Emil Avenue and the easterly City limits on parcels with a minimum of 180 feet of frontage along Florence Avenue; and
- b) C-4 Zone on Florence Avenue between Eastern Avenue and Perry Road on parcels with a minimum of 300 feet of street frontage along Florence Avenue; and on Eastern Avenue within the Los Jardines, Marketplace, and Village Square multi-tenant commercial centers.

At the regular meeting of September 14, 2015, the City Council introduced and conducted first reading of Ordinance No. 867 approving Zoning Code Amendment No. 2015-0445. A summary of Ordinance No. 867 was published in the Bell Gardens Sun publication on Thursday, September 17, 2015.

Recommendation: It is staff's recommendation that the City Council of the City of Bell Gardens waive a second reading and adopt Ordinance No. 867, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS

CALIFORNIA AMENDING THE CITY OF BELL GARDENS MUNICIPAL CODE, ZONING AND PLANNING REGULATIONS, CHAPTER 9.12 "COMMERCIAL ZONES, SECTION 9.12.030, "PERMITTED LAND USES," TABLE 9.12A "COMMERCIAL LAND USE MATRIX" TO ADD ELECTRONIC DISPLAY SIGNS AS A CONDITIONALLY PERMITTED USE IN THE HEAVY COMMERCIAL (C-4) ZONE, CHAPTER 9.14 "INDUSTRIAL ZONE," SECTION 9.14.030 "PERMITTED LAND USES," TABLE 9.14A "INDUSTRIAL LAND USE MATRIX," TO ADD ELECTRONIC DISPLAY SIGNS AS A CONDITIONALLY PERMITTED USE IN THE LIGHT INDUSTRIAL (M-1) ZONE, CHAPTER 9.40, "SIGNS," SECTION 9.40.020 "DEFINITIONS," TO ADD A DEFINITION FOR Electronic Display Signs, monument signs, pole signs, pylon signs, SIGN AREA AND SIGN FACE AREA and TO ADD Section 9.40.055, "ELECTRONIC DISPLAY SIGNS Matrix," to establish REGULATIONS FOR ELECTRONIC DISPLAY SIGNS (ZONING CODE AMENDMENT NO. 2015-045)."

7. **APPROVAL OF THREE (3) YEAR CONTRACT EXTENSION TO H.P. AUTOMOTIVE AND TOW, INC. FOR TOWING AND STORAGE SERVICES AND SETTING MAXIMUM TOW AND STORAGE RATES IN THE CITY**

At the City Council Meeting of January 23, 2012 the City Council of Bell Gardens awarded a five (5) year non-exclusive agreement to H.P. Automotive and Tow, Inc. ("HP Tow") for police ordered towing and storage services. In 2012, the towing fee for passenger cars were \$105 per hour and storage fees were \$25 per day. Resolution No. 2012-09, setting towing and storage fee rate schedule, was approved concurrently with the contract award to HP Tow on January 23, 2012. In section 2 of that Resolution, the City Council authorized the City Manager to consider and approve reasonable annual increases not to exceed five percent (5%) in any 12 month period. Based on these parameters, the towing fee rates for passenger cars in 2015 are charged at a rate of \$115 per tow and storage rate is \$27 per day. Based on a survey of neighboring local jurisdictions that provide contracted towing services, the rate fees charged by the City of Bell Gardens is amongst the lowest. In a letter dated August 24, 2015, Mr. Jimmy Sandhu, President of HP Tow has submitted a formal request for the City of Bell Gardens to consider a three (3) to four (4) year extension to the current service contract, which expires on January 31, 2017. In an effort to better control and keep fees reasonable for the community while providing high quality towing and storage fees, the term extension request appears reasonable for staff to recommend to the City Council for consideration at this time. The extension proposal includes a request to increase the towing and storage rate fees from the current passenger vehicle rate of \$115 per hour and \$27 per day, to \$133 and \$34, respectively. The only other type of vehicle tow rate increase would be for motorcycles; from the current rate of \$115 per hour to \$125, while the storage rate would decrease from \$27 to \$20 per day. All other conditions of the current contract would remain in effect, including the annual \$10,000 franchise fee and 25% assessment fee per vehicle towed. Even at these rates, the fees are still lower than the surrounding cities cited earlier; South Gate, Huntington Park, Bell, Downey and Vernon.

Recommendation: It is recommended that the City Council:

1. Adopt Resolution No. 2015-61 approving the First Amendment to the Non-Exclusive Franchise Towing for Towing Services by and between the City of Bell Gardens and H.P. Automotive and Tow, Inc.; and
2. Adopt Resolution No. 2015-62 establishing a rate schedule setting the maximum allowable tow and storage rates within the City of Bell Gardens.

8. **EMERGENCY ELECTRICAL REPAIRS AT SPORTS COMPLEX**

On August 8, 2015 there was a power outage at the entire Sports Complex at John Anson Ford Park including the concession stand. The main breaker in the electrical service panel would not reset and arc (discharge), all power was out. Morrison Electrical

Inc. was called. Morrison removed the distribution breakers, marked the wires, removed the damaged busing, mounting and back plate. They secured a new main breaker, reassembled the busing, tested, cleaned and recertified all distribution breakers with carbon build up. On August 11, 2015 Morrison installed a new main breaker, re-installed all the sub breakers, reconnected the distribution load side wiring and torqued the board to manufacturer's recommendation. Lastly, Southern California Edison was contacted to reconnect and restore power. As a result of the outage recreational activities at the Sport Complex were cancelled for one week. Morrison completed the project in an efficient and timely manner.

Recommendation: It is staff's recommendation that the City Council by motion: Adopt Resolution No. 2015-63 approving payment of \$12,913.80 to Morrison Electrical Inc. for the emergency electrical repairs completed at the John Anson Ford Park Sports Complex.

Mayor Pro Tem Aceituno asked if the main breaker was under warranty.

Director of Public Works Chau Vu stated that the breaker was installed ten years ago, and therefore out of warranty.

Mayor Pro Tem Aceituno asked if the new breaker purchase included a warranty and if so, for how long.

Director of Public Works Chau Vu stated that the new breaker did include a warranty and the typical warranty period is two to three years but could get back to the Council with a definitive answer.

City Manager Phil Wagner added that the breaker malfunction brought down the entire complex and it was necessary to complete the repairs in order for Southern California Edison to restore the power to the complex.

A motion was made by Councilmember Flores and seconded by Mayor Pro Tem Aceituno to adopt Resolution No. 2015-63 approving payment of \$12,913.80 to Morrison Electrical Inc. for the emergency electrical repairs completed at the John Anson Ford Park Sports Complex. The motion carried by a vote of 5-0.

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

No comments.

CITY COUNCIL MEMBER COMMENTS

Councilmember Flores thanked everyone for attending. She thanked the Red Cross for partnering with the community, and City Manager Phil Wagner for working hard towards getting the community prepared for a disaster. She congratulated the officers on their award; she recognized the Miss Bell Gardens participants; she commented on the Petco grand opening; she commented on a City of Downey councilmember in the audience; and she wished everyone a good night.

Councilmember Mendoza commented on attending City of Downey council meetings; he thanked staff for doing a great job and thanked everyone for attending the council meeting.

Councilmember Pulido thanked staff for their continued support and thanked the audience for staying until the end of the meeting.

Mayor Pro Tem Aceituno did not have any comments.

Mayor Rodriguez thanked staff for their hard work and dedication. She also wished Councilmember Flores a happy belated birthday, and she wished her daughter a happy ninth birthday.

Councilmember Flores announced a fundraiser for a resident who lost his battle with cancer to be held on Wednesday, September 30, 2015 at 6:00 p.m. with all proceeds going directly to the family.

ADJOURNMENT – Mayor Rodriguez adjourned the City Council meeting at 7:01 p.m. in memory of Mayor Daniel Crespo who passed away on September 30, 2014.



Kristina Santana
City Clerk