



**CITY OF BELL GARDENS
SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
MONDAY, MARCH 9, 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 6:03 p.m.

INVOCATION – was led by Pastor Anibal Vasquez from Primera Iglesia del Pacto

PLEDGE OF ALLEGIANCE – was led by Chief of Police Robert Barnes.

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 (ITEM No. 1-2)

1. MINUTES

February 9, 2015 and February 23, 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 Meetings of February 9, 2015 and February 23, 2015.

A motion was made by Mayor Pro Tem Aceituno and seconded by Councilmember Flores to approve the minutes for the Regular Successor Agency meetings of February 9, 2015 and February 23, 2015. Motion carried by a vote of 5-0.

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

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	02/10/15	Check #s	12726 – 12727	\$ 137,834.41
Warrant register dated	02/17/15	Check #s	12728	\$ 2,095.42
		Total		\$ 139,929.83

A motion was made by Mayor Pro Tem Aceituno and seconded by Councilmember Flores to receive and file all Warrant Registers and Wire Transfers. Motion carried by a vote of 5-0.

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


PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE SUCCESSOR 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 6:07 p.m.



Evangelina Hernandez
Acting Agency Secretary



**CITY OF BELL GARDENS
CITY COUNCIL
MONDAY, MARCH 9, 2015, 6:00 P.M.
MINUTES**

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CALL TO ORDER – Mayor Rodriguez called the meeting to order at 6:08 p.m.

ROLL CALL OF CITY COUNCIL

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

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

No comments.

CONSENT CALENDAR (Item No.'s 1 – 9)

1. **GENERAL MOTION TO READ ALL ORDINANCES BY TITLE ONLY**

In order to expedite the conduct of business at 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.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to read all Ordinances by title only and waive the full reading. Motion carried by a vote of 5-0.

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

2. **MINUTES**

February 9, 2015 and February 23, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the minutes for the Regular City Council Meetings of February 9, 2015 and February 23, 2015.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to approve the minutes for the Regular City Council Meetings of February 9, 2015 and February 23, 2015. Motion carried by a vote of 5-0.

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

3. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant register	02/10/15	Check #s	152627 – 152692 &		
Wire transfers	02/05/15	Wire #s	1028-1029	\$ 356,746.32	
Payroll transfer	02/05/15		Net payroll	<u>\$ 353,402.05</u>	\$ 710,148.37
Warrant register	02/17/15	Check #s	152693 – 152773		<u>\$ 149,828.61</u>
			Total =		<u>\$ 859,976.98</u>

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to receive and file all Warrant Registers and Wire Transfers. Motion carried by a vote of 5-0.

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

4. APPROVAL OF JANUARY 2015 TREASURER'S REPORT

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

Recommendation: It is staff's recommendation that the City Council receive, approve, and file the December 2014 Treasurer's Report.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to receive, approve, and file the January 2015 Treasurer's Report. Motion carried by a vote of 5-0.

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

5. REJECTION OF CLAIMS

The City directed the original claims filed by Alvaro Lopez and Jorge L. Zamora to Carl Warren & Company and following an investigation by the City's claim management company, these claims have been prepared for rejection.

Recommendation: It is staff's recommendation that the City Council reject the claims filed by Alvaro Lopez and Jorge L. Zamora. In accordance with the standard operating procedures, these claims have been prepared for rejection following a recommendation provided by the City's claims management company, Carl Warren & Company, and in a manner that allows these claimants, subject to certain exceptions, up to six months to file a court action on their claim.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to reject the claims filed by Alvaro Lopez and Jorge L. Zamora. In accordance with standard operating procedures, these claims have been prepared for rejection following a recommendation provided by the City's claims management company, Carl Warren & Company, and in a manner that allows these claimants, subject to certain exceptions, up to six months to file a court action on their claim. Motion carried by a vote of 5-0.

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

6. **INDEPENDENT CONTRACTOR AGREEMENT FOR TORBEN BEITH TO SERVE ON A TEMPORARY BASIS AS A POLICY AND TRAINING CONSULTANT**

A critical function of the police department is facilitation of policy implementation and training management. Given staffing needs, it is not feasible, cost effective, or operationally efficient to utilize full-time staff for this function. Furthermore, specialized skills and operational knowledge are needed to effectively manage functions related to policy, training, and certain types of internal assessments and investigations. We have been utilizing the services of Torben Beith in this capacity; however, there is no formal agreement in place between the City and Mr. Beith. He has extensive law enforcement experience with the skills and knowledge necessary to effectively and efficiently perform these functions on a temporary basis. He is available at a significant cost savings in comparison to previous consultants utilized by the City and police department. The agreement provides for a rate of \$45 per hour for policy and training consultation, and \$70 per hour for special assessments and investigations. Bell Gardens Municipal Code Section 3.04.105(2) provides that the procurement of professional services shall be based on a minimum of three written and/or verbal proposals. Other consultants that offer the same or similar services surveyed were as follows: JD Consulting Services, In. at \$130 per hour and RCS Investigations and Consulting, Inc. at \$115 per hour.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2015-20, approving the independent contractor agreement with Torben Beith for Consulting Services, thereby authorizing Torben Beith to work on a temporary basis as a policy and training consultant in the police department.

Mayor Pro Tem Aceituno pulled Consent Item No. 6 for further discussion.

Mayor Pro Tem Aceituno asked the City Manager to elaborate on the need to hire a consultant for policy training in the police department.

City Manager Wagner explained that a person knowledgeable in law enforcement training is needed to effectively monitor and facilitate the training of all the officers to ensure that the department is in compliance with California State laws and Peace Officer Standards of Training. He added that the City obtained additional bids and the current consultant's hourly rate is much less than the others, saving the City significant costs. By entering into an agreement, the City would be utilizing the services of the consultant on an as needed basis.

A motion was made by Councilmember Flores and seconded by Mayor Pro Tem Aceituno to adopt Resolution No. 2015-20, approving the independent contractor agreement with Torben Beith for Consulting Services, thereby authorizing Torben Beith to work on a temporary basis as a policy and training consultant in the police department. Motion carried by a vote of 5-0.

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

7. **SUBRECIPIENT AGREEMENT WITH LOS ANGELES GATEWAY REGION INTEGRATED REGIONAL WATER MANAGEMENT JOINT POWERS AUTHORITY (GWMA)**

In 2010, the City Council of Bell Gardens adopted Resolution 2010-35 approving the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Agreement. The City entered into the agreement to create a "regional water management group" to develop a regional water management plan that will protect and enhance the region's water resources and joined the Los Angeles Gateway Integrated Regional Water Management Joint Powers Authority (GWMA). The Gateway Authority was established for purposes of addressing water resource needs, primarily through Proposition 84 funding. The Gateway Authority has also been used as a means of collaboratively seeking funding for water quality projects. On December 4, 2014 GWMA applied for and was awarded a multi-agency, multi-watershed project to incorporate Low Impact Development ("LID") Best Management Practices ("BMPs") through Proposition 84 Stormwater Grant Program with the State Water Resources Control Board ("State Water Board"). GWMA will receive \$1,073,820.00 for the Multi-Agency/Multi-Watershed Project to assist the Cities of Bell Gardens, Downey, Lynwood, Norwalk, Paramount, Pico Rivera, Santa Fe Springs, Signal Hill, South Gate, Vernon and Whittier ("GWMA Members") in implementing LIDs BMPs that will decrease the loading of metals at multiple sites along the Los Angeles River, San Gabriel River and Los Cerritos Channel, and their tributaries. The project consists of constructing a total of 22 tree box filters, 20 bioretention tree wells and 1,200 linear feet of bioswale within the Gateway Region. The City of Bell Gardens is proposing to install (1) one tree box filter on Garfield Avenue and Florence Avenue in compliance with the new MS4 permit to incorporate LIDs BMPs within our city. A tree box filter is a stormwater mitigation method implemented to filter sediment and pollutants out of stormwater runoff. Tree box filters are pre-manufactured, concrete structures installed in-ground to control storm runoff quality and volume before entering a catch basin or the surrounding subsoil. As a subrecipient, the City of Bell Gardens will deposit with GWMA a total amount of \$56,185.45 for GWMA to handle the competitive bidding process and award a contract to construct and implement the tree box filter.

Recommendation: It is staff's recommendation that the City Council take the following actions:

1. Adopt a Resolution No. 2015-02, approving the Subrecipient Agreement with Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (GWMA) for implementing Low Impact Development ("LID") Best Management Practices ("BMPs") that will decrease the loading of metals along the Los Angeles River.
2. Authorize the City Manager to sign the Subrecipient Agreement on behalf of the City of Bell Gardens.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to adopt Resolution No. 2015-02 approving the Subrecipient Agreement with Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (GWMA) for implementing Low Impact Development ("LID") Best Management Practices ("BMPs") that will decrease the loading of metals along the Los Angeles River. Motion carried by a vote of 5-0.

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

8. **AMENDMENT TO CALIFORNIA CITIES FOR SELF-RELIANCE JOINT POWERS AUTHORITY AGREEMENT**

In 2001, the Cities of Bell Gardens, Commerce, Gardena, and Hawaiian Gardens form the California for Self Reliance Joint Powers Authority pursuant to a Joint Powers Agreement for the purpose of promoting and protecting the common economic interests of its member cities. In 2006, the Cities of Inglewood and Compton were added to the Authority as members. The Authority member cities are similarly unique in that each member city hosts state licensed card clubs within its local jurisdiction, which are essential to the economies of the member cities, providing thousands of jobs and millions of tax dollars to its member cities. By coming together to form the Authority, the Authority member cities can better leverage its financial and political resources on the state and federal levels to promote and protect its residents shared economic interests. In order to continue advancing the interest of its member cities, the Authority is requesting that each member city contribute the sum of \$25,000 to fund the Authority's continued operations for the balance of the 2014-2015 fiscal year. The member city contribution would go toward funding the Authority, its staff, and activities to monitor current and future state and federal legislation and activities and advocate on behalf of its member cities against legislation and other activities that threaten the economic interest of the member cities such as the growth and proliferation of tribal and out-of-state gaming interests, which serve to remind and reaffirm the continued need and role of the Authority. On January 12, 2015, the City Council approved City Council Resolution 2015-06, which approved the appropriation of \$25,000 for the 2014-2015 Fiscal Year. The approval of this Amendment formalizes the \$25,000 member contribution by amending the terms of the existing Joint Powers Agreement to reflect the annual member contribution requirement.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2015-25, approving the California Cities for Self Reliance Amendment to the Joint Powers Authority Agreement.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to adopt Resolution No. 2015-25, approving the California Cities for Self Reliance Amendment to the Joint Powers Authority Agreement. Motion carried by a vote of 5-0.

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

14. **LOCAL COMMISSIONS APPOINTMENTS 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. Once appointments are made, the City Council will recognize all outgoing and incoming Commissioners. The new members will receive their Oath of Office and will begin service with their respective Commission at the next regularly scheduled Commission meeting. The City Clerk's Office will arrange for the proper filing of Conflict of Interest Code paperwork and schedule AB 1234 ethics training.

Recommendation: It is staff's recommendation that the City Council receive and file the local commissions appointments list.

A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to receive and file the local commissions appointments list. Motion carried by a vote of 5-0.

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

DISCUSSION (Item No. 10-12)

10. BERK OIL SITE CLEAN-UP PRESENTATION

The Berk Oil site is owned by the Successor Agency and as a result of being vacant and underutilized it has become blighted and a nuisance while serving as an illegal dumping site for trash and bulky items, homeless encampments and graffiti. The Agency continues to explore development opportunities for the property but due to ground contamination issues, the opportunities remain limited. During the regular scheduled Successor Agency to the Community Development Commission Meeting held on February 13, 2015, a contract authorizing Prime Demolition, a private contractor, to perform clean-up activities and rough grading on the site was approved by the Commission Members. A visual presentation is presented as a point of reference to receive and file for the City Council.

Recommendation: It is staff's recommendation that the City Council by motion approve to receive and file a visual PowerPoint presentation demonstrating the current conditions of the former Berk Oil Site property which is scheduled for clean-up over the next several months.

City Manager Wagner gave the PowerPoint presentation on Discussion Item No. 10.

Mayor Pro Tem Aceituno inquired about the size of the lot.

City Manager Wagner stated it is approximately 4.3 acres. He added that although the property is tied up in the dissolution of the redevelopment agency process, staff is continually working to find potential buyers interested in developing it. Staff will be bringing plans to the City Council and Successor Agency at a later time.

A motion was made by Mayor Rodriguez and seconded by Councilmember Flores to receive and file the PowerPoint presentation. Motion carried by a vote of 5-0.

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

11. CASINO HOTEL CONSTRUCTION UPDATE

On Friday, February 27, 2015 the Bicycle Casino and Hotel Management team held an on-site celebration for the recent completion of the steel framing construction of its seventh and final floor for the new hotel. The overall completion of the hotel is estimated for September 2015. A visual PowerPoint presentation is presented as an update and for consideration to receive and file by the City Council.

Recommendation: It is staff's recommendation that the City Council by motion to receive and file a visual PowerPoint presentation demonstrating the current progress of the Bicycle Casino Hotel construction project.

City Manager Wagner gave the PowerPoint presentation on Discussion Item No. 11.

Mayor Pro Tem Aceituno inquired about the number of jobs that have been created during this construction phase.

City Manager Wagner stated it has been between 200 and 300 depending on the particular stage of construction. Once completed, the Casino management projects that the hotel alone will add 250-300 new jobs. Currently the Casino employs 1,100 to 1,500 workers, the majority of which are Bell Gardens residents.

Mayor Pro Tem Aceituno inquired if the target completion date of September 2015 includes the renovation of the existing Casino.

City Manager Wagner stated the renovation includes the entire property.

A motion was made by Mayor Pro Tem Aceituno and seconded by Councilmember Mendoza to receive and file the PowerPoint presentation. Motion carried by a vote of 5-0.

AYES: Flores, Mendoza, Pulido, Aceituno, Rodriguez

NOES: None

ABSENT: None

12. 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. Councilmembers are typically appointed as representatives on various external boards, commissions, and committees who serve the larger geo-political region. The City Council typically makes revisions to the list yearly following the annual Council reorganization. It is now the appropriate time to review the matrix and make the appropriate changes, reappointments, or appointments, as necessary.

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

City Manager Wagner gave an introduction on Discussion Item No. 12.

Mayor Rodriguez requested that the appointments remain the same, except for the Mayor Automatic Appointments listing former Mayor Daniel Crespo as the delegate.

City Manager Wagner explained that these organizations require elected official representation and although some have the Mayor as the automatically appointed delegate under the organization's bylaws, it does not mean the Mayor has to sit on the Board. The Mayor can appoint an alternate to attend the meetings.

After a brief discussion, a motion was made by Councilmember Flores and seconded by Mayor Pro Tem Aceituno to appoint Councilmember Mendoza as the alternate to the California Joint Powers Insurance Authority. Motion carried by a vote of 5-0.

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

A motion was made by Mayor Rodriguez and seconded by Councilmember Mendoza to appoint Mayor Pro Tem Aceituno as the delegate to the Gateway Cities Council of Governments. A motion was made by Councilmember Flores and seconded by Councilmember Mendoza to appoint Councilmember Pulido as the alternate to the Gateway Cities Council of Governments. Motion carried by a vote of 5-0.

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

A motion was made by Mayor Rodriguez and seconded by Mayor Pro Tem Aceituno to appoint Councilmember Mendoza as the alternate to the League of California Cities. Motion carried by a vote of 5-0.

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

A motion was made by Mayor Rodriguez and seconded by Mayor Pro Tem Aceituno to appoint Councilmember Pulido as the alternate to the Eco-Rapid Transit. Motion carried by a vote of 5-0.

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

A motion was made by Mayor Rodriguez and seconded by Mayor Pro Tem Aceituno to appoint Councilmember Pulido as the alternate to the Eco-Rapid Transit. Motion carried by a vote of 5-0.

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

A motion was made by Mayor Rodriguez and seconded by Councilmember Mendoza to appoint Councilmember Flores as the alternate to the Southeast Area Animal Control Authority. Motion carried by a vote of 5-0.

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

A motion was made by Mayor Rodriguez and seconded by Councilmember Mendoza to appoint Mayor Pro Tem Aceituno as the delegate and Councilmember Flores as the alternate to the Southern California Association of Governments. Motion carried by a vote of 5-0.

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

PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

Francine Gardea invited the members of the City Council to the Suva Elementary PTA Honorary Service Awards taking place on April 25.

CITY COUNCIL MEMBER COMMENTS

Councilmember Flores thanked residents for attending the Council meeting and wished everyone a nice evening.

Council Member Mendoza thanked staff for attending the recent Casino celebration for the recent completion of the steel framing construction of its seventh and final floor for the new hotel. He also congratulated Mayor Rodriguez being honored with the PTSA Award from Bell Gardens Intermediate School.

Councilmember Pulido thanked everyone for attending the Council meeting.

Mayor Pro Tem Aceituno asked the Chief of Police about the three police vehicles that were approved for purchase a few months ago and when he anticipates having those vehicles patrolling the streets of Bell Gardens.

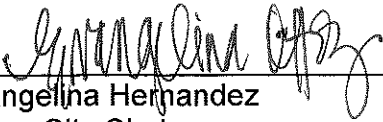
Chief of Police Robert Barnes stated that parts were received last week to retrofit each of the vehicles. It will take 3-4 weeks to build in addition to installing communications equipment and decals. He anticipates the first vehicle will be in service in approximately five weeks.

Mayor Pro Tem Aceituno asked the Chief of Police if Asset Forfeiture funds can be utilized to replace or acquire police vehicles. He mentioned the discussion of potentially eliminating Asset Forfeiture funds by the Obama Administration.

Chief Barnes advised that a report will be prepared with the balance and plans for the Asset Forfeiture program.

Mayor Rodriguez mentioned that Councilmember Mendoza will also be recognized for the PTSA Award. She also welcomed back Abel Avalos, Director of Community Development.

ADJOURNMENT – Mayor Rodriguez adjourned the City Council meeting at 6:43 p.m.



Evangelina Hernandez
Acting City Clerk