



**CITY OF BELL GARDENS  
CITY COUNCIL  
REGULAR MEETING  
MONDAY, APRIL 8, 2019, 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**

**ROLL CALL OF CITY COUNCIL MEMBERS**

Pedro Aceituno, Council Member  
Marco Barcena, Council Member  
Jennifer Rodriguez, Council Member  
Lisseth Flores, Mayor Pro Tem  
Alejandra Cortez, Mayor

**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. 1-9)**

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

**1. 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.

**2. MINUTES OF THE MARCH 11, 2019 CITY COUNCIL CLOSED SESSION AND REGULAR MEETING**

March 11, 2019 - Closed Session Minutes

March 11, 2019 - Regular Meeting Minutes

**Recommendation:**

It is staff recommendation that the City Council approve the minutes of the City Council Closed Session of March 11, 2019 and Regular City Council Meeting of March 11, 2019.

**3. 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 payrolls dated 02/26/19, 02/28/19, 03/05/19, 03/12/19, 03/14/19, and 03/19/19.

**4. FEBRUARY 2019 TREASURER'S REPORTS**

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 February 2019 Treasurer's Reports.

**5. CLAIM REJECTION**

A claim was filed with the City. Staff directed the claim to the City's general liability claims administrator Carl Warren & Company for processing, review, and investigation. Following the investigation, Carl Warren & Company and City staff determined that the City is not liable for the claim.

**Recommendation:**

It is staff recommendation that the City Council reject the following claim and the claimant and/or their representative be notified:

- Raul Gomez v. City of Bell Gardens (DOE 06/14/18; DOR 12/12/18)

The City's general liability claims administrator, Carl Warren & Company, recommends that this claim be rejected. The claimant, subject to certain exceptions, shall have up to six months to file a court action subsequent to the City Council's rejection.

**6. CONSIDERATION TO ADOPT MEMORANDA OF UNDERSTANDING WITH THE BELL GARDENS PUBLIC WORKS EMPLOYEES ASSOCIATION**

For members of the Public Works Employees Association (PWEA), the City has tentatively agreed, subject to Council approval, to a status quo and no cuts agreement on all economic issues. No economic terms will be affected from the previous 2016-2018 PWEA MOU. Except for the term of the agreement, there are no changes to the PWEA MOU.

**Recommendation:**

It is staff recommendation that the City Council, by motion, approve the attached resolutions adopting Memoranda of Understanding between the City of Bell Gardens and the Bell Gardens Public Works Employees Association for the period July 1, 2018, through June 30, 2019.

**7. CALIFORNIA CITIES FOR SELF-RELIANCE JOINT POWERS AUTHORITY FUNDING REQUEST**

The Board of Directors of the California Cities for Self-Reliance Joint Powers Authority voted unanimously to recommend a special assessment in the sum of \$33,000 from each City member to be used exclusively for consultants to counter the actions of the Bureau of Gambling Control.

**Recommendation:**

It is staff recommendation that the City Council, by motion, authorize the expenditure of \$33,000 to the California Cities for Self-Reliance Joint Powers Authority.

**8. AWARD OF CONSTRUCTION CONTRACT FOR THE SLURRY SEAL ZONE 1 IMPROVEMENT PROJECT**

Staff initiated a slurry seal program to extend the pavement life span of City streets by five (5) to ten (10) years. On March 11, 2019, the City received a total of four (4) bid proposals and staff is recommending the award of contract to the lowest bidder Doug Martin Contracting Co., Inc.

**Recommendation:**

It is staff recommendation that the City Council by motion:

1. Award a construction contract to Doug Martin Contracting Co., Inc., in the amount of \$118,376.40 for the Slurry Seal Improvement Zone 1, Phase 1 – C.I.P. No. 3872; 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. MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (CJPIA) REGARDING A CITYWIDE AMERICANS WITH DISABILITIES (ADA) TRANSITION PLAN**

Agreement with California Joint Powers Insurance Authority (CJPIA), to prepare a Citywide Americans with Disabilities (ADA) Transition Plan which consists of evaluating the City's Facilities, Parks, and Public Rights-of-Way, identifying barriers to access, and formulating a plan of action to remove these barriers. The total cost for this plan is \$80,235 which includes a contribution of \$21,500 from CJPIA.

**Recommendation:**

It is staff recommendation that the City Council authorize the City Manager to execute a Memorandum of Understanding with California Joint Powers Insurance Authority (CJPIA), which would allow CJPIA to prepare a Citywide ADA Transition Plan through DAC Consulting Firm, for a fee not to exceed \$80,235.

**DISCUSSION (Items No. 10-13)**

**10. RENT CONTROL AD HOC COMMITTEE**

At the Council meeting of March 11, 2019, the City Attorney's Office provided information about rent control to the City Council. It was proposed at that time to create an Ad Hoc Committee consisting of two Council Members to further study the topic and bring back their findings to the City Council.

**Recommendation:**

It is staff recommendation that the City Council create an Ad Hoc Committee to include two Council Members to provide the City Attorney's Office with direction regarding the potential development of a rent stabilization and dispute resolution ordinance and program.

**11. COUNCIL POLICY ON ADDING ITEMS TO THE AGENDA**

The proposed policy regarding the placement of items on City Council meeting agendas by Council Members was drafted at the behest of the City Council.

**Recommendation:**

It is staff recommendation that the City Council adopt the attached resolution and utilize the included procedures in order to govern the calendaring of items for City Council meetings by the members of the City Council.

**12. LOCAL COMMISSIONS APPOINTMENT LIST**

The Local Commissions Appointments List outlines the City of Bell Gardens Commissions and Commissioners. Per the Bell Gardens Municipal Code, City Commissions consist of Bell Gardens residents appointed by each member of the City Council. Council Members may remove commissioners during any regular City Council meeting and may appoint commissioners following 10 days after the posting of the vacancy notice.

**Recommendation:**

It is staff recommendation that the City Council review the Commissions Appointments List and by motion, remove commissioners and/or make appointments to the posted vacancies.

**13. CREATION OF COMMUNITY GARDEN AT VETERANS PARK**

At the March 11, 2018 City Council Meeting, Council Member Rodriguez asked if the creation of a garden for people with special needs could be agendaized for City Council Discussion.

**Recommendation:**

It is staff recommendation that the City Council provide direction on the creation of a new community garden.

**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: April 4, 2019 Time: 5:00 p.m.