



CITY OF BELL GARDENS
CITY COUNCIL / SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
JOINT MEETING
MONDAY, NOVEMBER 13, 2023, 6:00 PM
AGENDA

LOCATION: CITY COUNCIL CHAMBERS, 7100 GARFIELD AVENUE, BELL GARDENS, CA 90201

The meeting will be held at Bell Gardens City Hall in the Council Chambers. The public may attend the meeting in-person or virtually as instructed below. You may view the meeting live on the City's website at <https://www.bellgardens.org/i-want-to/watch-city-council-meetings>.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid, or service by contacting the City Clerk's office by telephone at 562-806-7704 or via email to CityClerkDesk@bellgardens.org no later than 72-hours before the scheduled meeting.

PUBLIC PARTICIPATION: The members of the public may address the City Council / Agency Members on any item listed on the agenda or on matters which are not listed on the agenda but are within the subject matter jurisdiction of the City Council / Successor Agency. Public comments are limited to three (3) minutes per person for each designated public comment period(s). Public comments for non-agenda items will be limited to a total of 30 minutes. Public comments can be made by any of the following ways:

IN-PERSON: Members of the public can provide in-person comments at the podium in the Council Chamber. The Council Chambers will have seating available for members of the public to attend the meeting in person, subject to capacity limits. Public comments are limited to three (3) minutes for each designated public comment period(s) per speaker, unless a different time is announced by the presiding chair. Speakers who wish to address the City Council / Agency Members should do so by submitting a "Public Comment Card" card by 5:00 p.m. for Closed Session items and by 6:00 p.m. for all other designated public comment periods as listed.

BY TELEPHONE: Phone Number: [\(669\)900-9128](tel:(669)900-9128) Webinar ID: [813 3236 4343#](#) Passcode: [2021#](#)
To address the City Council press *9 to raise your hand then *6 to unmute yourself when instructed.

VIRTUALLY LIVE: Members of the public may participate via Zoom by <https://zoom.us/join> and entering the Zoom Meeting ID: [813 3236 4343](#) Passcode: [2021](#)
Comments may also be made via the Zoom app by using the "Raise Hand" feature when it is your turn to speak the host will unmute you. Comments will not be accepted in the QandA Chat function of the zoom app.

WRITTEN COMMENTS: Public comments may be emailed to PublicComments@bellgardens.org or mailed to: City Clerk's Office, 7100 Garfield Ave., Bell Gardens, CA 90201. To ensure distribution to the members of the City Council / Agency Members prior to consideration of the agenda, please submit

comments no later than one (1) hour prior to the meeting. Those comments, as well as any comments received after, will be distributed to the members of the City Council / Successor Agency and will be part of the official public record of this meeting.

For more information, you may contact the City Clerk's office during regular business hours 7:30 a.m. to 6:00 p.m., Monday through Thursday at (562) 806-7704.

PUBLIC HEARING: Public participation will be separately called for the public to provide comments at the time of each public hearing item. Speakers who wish to provide a comment should do so by submitting a "Public Comment Card" to the staff liaison, clerk, prior to the designated public comment period.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS / SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBERS

Marco Barcena, Council Member / Agency Member
Gabriela Gomez, Council Member / Agency Member
Maria Pulido, Council Member / Agency Member
Jorgel Chavez, Mayor Pro Tem / Vice Chair
Francis De Leon Sanchez, Mayor / Chair

PRESENTATIONS

- **NATIONAL FAMILY CAREGIVERS MONTH PROCLAMATION**

PUBLIC HEARING (Item No. 1)

1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS ESTABLISHING NEW REGISTRATION FEES FOR RENTAL UNITS PURSUANT TO THE CITY'S RENT STABILIZATION AND TENANT EVICTION PROTECTIONS ORDINANCE

A resolution to establish annual rental registration fees pursuant to the requirements of the City's Rent Stabilization and Tenant Eviction Protections Ordinance based on the City's adopted cost study.

Recommendation:

It is staff's recommendation that the City Council:

1. Open the public hearing and receive public testimony;
2. Find the fee resolution exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Common Sense Exemption, Section 15061(b)(3); and
3. Adopt the attached Resolution establishing new registration fees for rental units pursuant to the City's Rent Stabilization and Tenant Eviction Protections Ordinance.

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

During this time, the members of the public may address the City Council / Successor Agency regarding any items within the subject matter jurisdiction of the City Council / Successor Agency. Public comments are limited to 3 minutes per person subject to an overall 30-minute period for non-agenda items. Government Code Section 54590 prohibits the City Council / Successor Agency from taking action or engaging in discussion on a specific item unless it appears on the agenda.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

During this time, the members of the public may address the City Council / Agency Members regarding any items listed on the agenda. Public comments are limited to 3 minutes per person.

CITY MANAGER'S REPORT

CONSENT CALENDAR (Item Nos. 2 - 22)

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 / Successor Agency 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'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.

3. APPROVAL MINUTES OF OCTOBER 23, 2023 CITY / SUCCESSOR AGENCY JOINT MEETINGS

Approve the minutes of the October 23, 2023 City/Successor Agency Joint Meeting.

Recommendation:

It is staff's recommendation that the City Council approve the minutes of the October 23, 2023 City/Successor Agency Joint Meeting.

4. CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT FOR INTERPRETATION SERVICES CITYWIDE

Adoption of resolution and award of professional services agreement for City Council and Commission interpretation services.

Recommendation:

It is staff's recommendation that the City Council:

1. Adopt the attached resolution authorizing the City Manager to execute a Professional Services Agreement with Samantha Lubrani for interpretation services; and
2. Appropriate \$11,000 from the General Fund to the City Clerk's Office budget for Fiscal Year (FY) 2023-24.

5. 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's recommendation that the City Council receive and file the warrant registers, wire transfers, and net payrolls dated 10/05/23, 10/10/23, 10/17/23, 10/19/23 and 10/24/23.

6. WARRANT REGISTER SUCCESSOR AGENCY

In approving the action of receiving and filing the warrant registers, the official minutes of the Successor Agency should state that each individual member of the Successor Agency 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 Successor Agency Member, or pays for any costs or expenses, or otherwise benefits the same named Successor Agency Member. Each Successor Agency Member will not be participating, influencing or voting on any such warrant bearing their name or which benefits the same named Successor Agency 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's recommendation that the Successor Agency Members receive and file the warrant register dated 10/17/23.

7. CLAIM REJECTION

A claim was filed with the City by the following claimant. 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's recommendation that the City Council reject the following claim and the claimant and/or their representatives be notified:

- Edgar Cardenas Castro v. City of Bell Gardens (DOE 5/10/2022; DOR 8/1/2022)

The City's general liability claims administrator, Carl Warren & Company, recommends that the claim be rejected. The claimant, subject to certain exceptions, shall have up to six (6) months to file a court action subsequent to the City Council's rejection.

8. APPROVAL OF SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GRANICUS FOR CITY WEBSITE

Since 2017, Granicus has provided the City of Bell Gardens with website design, support and hosting for the City website (www.bellgardens.org). The City is seeking an additional one (1) year extension.

Recommendation:

It is staff's recommendation that the City Council approve the attached Resolution and Second

Amendment to the Professional Services Agreement with Granicus for website design, support and hosting for the City website (www.bellgardens.org).

9. ADOPT A RESOLUTION APPROVING A SIDE LETTER AGREEMENT WITH THE BELL GARDENS CITY EMPLOYEES ASSOCIATION FOR CLOSURE OF CITY HALL AND OTHER CITY FACILITIES FOR THE HOLIDAYS

The Bell Gardens City Employees Association (BGCEA) proposed that the City consider the closing of City Hall and City facilities on Monday December 25, 2023 through Thursday December 28, 2023, and Monday, January 1, 2024 with the understanding that Tuesday, December 26, 2023; Wednesday, December 27, 2023; and Thursday, December 28, 2023 would not be officially recognized holiday. Rather, employees would be required to take approved leave time (i.e. vacation, compensatory) or unpaid time off for those hours not worked. Monday, December 25, 2023 and Monday, January 1, 2024, will be observed as City holidays, per the current Memorandum of Understanding (MOU). If approved, then BGCEA members will use their accumulated leave time during this period avoiding \$27,092 in Personal Services (salaries and benefits) costs in future leave payouts.

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 to close City Hall and other City facilities on Monday December 25, 2023, through Thursday December 28, 2023, and Monday, January 1, 2024. Employees would be required to take approved leave time (i.e. vacation, compensatory) or unpaid time off for those hours not worked, for the dates of Tuesday, December 26, 2023; Wednesday, December 27, 2023 and Thursday, December 28, 2023. Monday, December 25, 2023, and Monday, January 1, 2024, will be observed as City holidays, per the current Memorandum of Understanding (MOU).

10. TRANSFER AND ACCEPTANCE OF PROPERTY LOCATED AT 5811-1/2 LIVE OAK STREET

Transfer of property at 5811-1/2 Live Oak Street from Prime/Fit, LLC, to the Successor Agency to the former Bell Gardens Community Development Commission, correcting an oversight, followed by a transfer to the City of Bell Gardens.

Recommendation:

It is staff's recommendation that the Successor Agency:

1. Adopt the attached Successor Agency Resolution attached hereto as Exhibit 1, approving and accepting the transfer of the property located at 5811-1/2 Live Oak Street (APN: 6227-004-800) ("Property" or "Little Rectangle") from Prime Frit El Portal, LLC, a California limited liability company ("Prime/Frit") to the City of Bell Gardens as Successor Agency to the Former Bell Gardens Community Development Commission ("Successor Agency") by Quitclaim Deed ("Deed 1-A");
2. Accept transfer of the Property by execution of a Certificate of Acceptance attached to hereto as Exhibit 1;
3. Approve the subsequent transfer of the Property to the City of Bell Gardens ("City") in order for the City to maintain the current wireless lease on the Property, via Quitclaim Deed ("Deed 2-A"), attached hereto as Exhibit 1; and
4. Declare the Property as exempt surplus land under the Surplus Land Act pursuant California Government Code section 54221(f)(1)(D) as it will be transferred to local agencies, the Successor Agency and subsequently, the City, for use of the Property as a cell tower site.

It is also staff's recommendation that the City Council:

1. Adopt the City Council Resolution attached hereto as Exhibit 2, approving and accepting the transfer of the Property from the Successor Agency to the City by Quitclaim Deed via Deed 2-A;
2. Accept transfer of the Property by execution of a Certificate of Acceptance (Exhibit 2);
3. Accept transfer of the overhang easement from Prime/Frit, as described in Exhibit 2.;
4. ~~Declare the Property as exempt surplus land under the Surplus Land Act pursuant California Government Code section 54221(f)(1)(D) as it will be transferred to the City, a local agency, for use of the Property as a cell tower site.~~

11. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS AUTHORIZING THE CALIFORNIA STRATEGIC GROWTH COUNCIL GRANT APPLICATION SUBMITTAL FOR THE COMMUNITY RESILIENCE CENTER PROGRAM

Authorization to submit a grant application for the California Strategic Growth Council's Community Resilience Center program to fund new construction and upgrades of neighborhood-level resilience centers, which provide shelter and resources during climate and other emergencies.

Recommendation:

It is staff's recommendation that the City Council adopt the attached resolution authorizing the submittal of a grant application to the California Strategic Growth Council for the Community Resilience Centers Program.

12. TRANSFER AND ACCEPTANCE OF PROPERTIES FROM THE CITY OF BELL GARDENS TO THE SUCCESSOR AGENCY TO THE FORMER BELL GARDENS COMMUNITY DEVELOPMENT COMMISSION

Transfer and acceptance of properties from the City of Bell Gardens to the Successor Agency to the Community Development Commission of the City of Bell Gardens.

Recommendation:

It is staff's recommendation that the City Council:

1. Find that the adoption of City Council Resolution is exempt from the California Environmental Quality Act ("CEQA"); and
2. Adopt City Council Resolution, attached hereto as Exhibit 1, approving the transfer of properties identified as APNs 6227-013-907, 6227-013-908, 6227-013-909, 6227-013-910, 6328-007-900, 6227-008-900, and other properties authorized by the City Manager (collectively, "Subject Properties") from the City of Bell Gardens to the Successor Agency by Quitclaim Deeds, attached to the Resolution as Exhibit 1-A, Exhibit 1-B, and Exhibit 1-C.

It is also staff's recommendation that the Successor Agency:

1. Find that the adoption of Successor Agency Resolution is exempt from the California Environmental Quality Act ("CEQA"); and
2. Adopt the Successor Agency Resolution, attached hereto as Exhibit 2, approving and accepting the transfer of the Subject Properties by execution of Certificates of Acceptance incorporated into the Quitclaim Deeds, described above.

13. CAR WASH AND DETAIL SERVICE CONTRACT

The Police Department maintains a vehicle fleet for operational purposes, which requires weekly car washes to keep them clean and presentable to the public.

Recommendation:

It is staff's recommendation that the City Council adopt the attached Resolution, approving a three (3) year Contract Services agreement with the option of two (2) one-year extensions, with Xpress Fleet Wash, Inc. for car wash services for Police Department vehicles.

14. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT FOR TRAINING AND POLICY CONSULTANT

The Police Department requires training and policy consulting services to provide best practices as set by the Commission on Police Officer Standards and Training (POST).

Recommendation:

It is staff's recommendation that the City Council adopt the attached Resolution approving the Professional Services Agreement with Torben Beith, for a three (3) year term with the option of two one-year extensions, for Police Training and Policy Consulting Services.

15. CONSIDERATION OF COOPERATIVE AGREEMENT FOR PURCHASE OF MODULAR OFFICE SPACE

The police department needs to purchase and replace the aging, out-of-date modular office space that is utilized to house the departments Traffic Division, Community Service Officer Division and the Police Explorer Post. The current modular office space is over twenty years old and is deteriorating making it an unsafe working environment.

Recommendation:

It is staff's recommendation that the City Council adopt the attached Resolution approving an agreement with McGrath Rent Corp dba Mobile Modular Management Corp. to purchase and replace the deteriorating and outdated modular office space.

16. APPROVAL OF PREQUALIFIED PROSPECTIVE BIDDERS LIST, APPROVAL OF PLANS AND SPECIFICATIONS, AND AUTHORIZATION TO SOLICIT BIDS FOR THE JOHN ANSON FORD PARK REGIONAL AQUATICS CENTER IMPROVEMENTS (CIP NO. 3888)

Statements of Qualifications from prospective bidders in response to a Request for Qualifications for the John Anson Ford Park Regional Aquatics Center Improvements (the "Project") have been reviewed. The plans and specifications for the Project have also been prepared. This item would approve the Prequalified Prospective Bidders List ("PPBL") for the Project and allow the City to advertise the Project for bids to the prospective bidders listed on the PPBL.

Recommendation:

It is staff's recommendation that the City Council:

1. Approve the Prequalified Prospective Bidders List (PPBL) for the John Anson Ford Park Regional Aquatics Center Improvements (the "Project");
2. Approve the plans and specifications for the Project;
3. Authorize staff to solicit competitive bids from prospective bidders listed on the PPBL and publish the Notice Inviting Sealed Bids (NSIB); and
4. Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302, Class 2, and categorically excluded from the National Environmental Policy Act (NEPA) pursuant to Title 24, Section 58.35 of the U.S. Code of Federal Regulations (CFR).

17. RESOLUTION APPROVING A TEMPORARY ACCESS LICENSE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL TO CONDUCT GROUNDWATER MONITORING AT VETERANS PARK

Consideration of a Resolution approving a Temporary Access License Agreement with the Department of Toxic Substances Control to conduct groundwater monitoring at the Veterans Park parking lot.

Recommendation:

It is staff's recommendation that the City Council adopt the attached Resolution approving a Temporary Access License Agreement ("Agreement") with the State of California Department of Toxic Substances Control and authorizing the City Manager to execute the Agreement.

18. AWARD OF CONSTRUCTION CONTRACT FOR THE VETERANS PARK CITY YARD STORMWATER IMPROVEMENTS (CIP NO. 3880)

Consideration of award of a Construction Contract to Deark E & C, Inc. for the Veterans Park City Yard Stormwater Improvements.

Recommendation:

It is staff's recommendation that the City Council:

1. Award a Construction Contract to Deark E & C, Inc. in the amount of \$690,430 for the Veterans Park City Yard Stormwater Improvements; CIP No. 3880; 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 9.5% of the Construction Contract.

19. AWARD OF CONSTRUCTION CONTRACT FOR THE SLURRY SEAL IMPROVEMENTS - ZONE 4 (CIP NO. 3921)

Consideration of award of a Construction Contract to Roy Allan Slurry Seal, Inc. for the Slurry Seal Improvements – Zone 4.

Recommendation:

It is staff's recommendation that the City Council:

1. Award a Construction Contract to Roy Allan Slurry Seal Inc. in the amount of \$167,639.30 for the Slurry Seal Improvements - Zone 4; CIP No. 3921;
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; and
3. Appropriate an additional \$27,000 in Measure M funds to complete this project.

20. RESOLUTION APPROVING A THIRD AMENDMENT TO ENGINEERING SERVICES AGREEMENT WITH BOWMAN INFRASTRUCTURE ENGINEERS LTD. DBA INFRASTRUCTURE ENGINEERS TO EXTEND THE TERM FOR ONE ADDITIONAL MONTH

Consideration of a Resolution approving a Third Amendment to the Engineering Services Agreement with Bowman Infrastructure Engineers Ltd. dba Infrastructure Engineers to extend the term through December 31, 2023.

Recommendation:

It is staff's recommendation that the City Council adopt the attached Resolution authorizing the City

Manager to execute the Third Amendment with Bowman Infrastructure Engineers Ltd. dba Infrastructure Engineers.

21. RESOLUTION AUTHORIZING THE CITY OF BELL GARDENS TO PARTICIPATE IN THE PROPOSED CLASS ACTION SETTLEMENTS WITH 3M COMPANY (“3M”) AND THE DUPONT DEFENDANTS IN THE PUBLIC WATER SYSTEMS’ PORTION OF THE MULTI-DISTRICT LITIGATION MATTER RELATING TO PFAS CONTAMINATION OF DRINKING WATER

Consideration of a Resolution authorizing the City to participate in the proposed Class Action Settlements with 3M company (“3M”) and the Dupont Defendants in the Public Water Systems’ portion of the multi-district litigation matter relating to PFAS contamination of drinking water.

Recommendation:

It is staff’s recommendation that the City Council approve the attached Resolution authorizing the City to continue to be a part of the partial settlements with defendants.

22. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS AUTHORIZING THE SUBMITTAL OF THE THRIVING COMMUNITIES GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION

The Thriving Communities Program (TCP) complete neighborhoods community of practice focuses on urban and suburban communities located within metropolitan areas working to better coordinate transportation with land use, housing, and economic development through technical assistance, planning, and capacity building.

Recommendation:

It is staff’s recommendation that the City Council adopt the attached resolution approving submission of a grant application to the US Department of Transportation for the Thriving Communities Program (TCP) to support community-driven economic development, health, environment, mobility, and access goals.

DISCUSSION (Item Nos. 23 - 25)

23. CITY MOBILE APP NAME CONTEST RESULTS

The City of Bell Gardens will launch a new mobile app soon. The City mobile app will allow residents to report issues to city departments by writing a description, submitting photos, and sending a location that is easily pinpointed on a map such as Google Maps. The City launched a mobile app name contest. A total of 26 unique app names were submitted via a SurveyMonkey link. The top three vote getting choices are now presented to the City Council for consideration.

Recommendation:

It is staff’s recommendation that the City Council select a name for the new City Mobile app.

24. 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 working days after the posting of the vacancy notice.

Recommendation:

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

25. BELL GARDENS CAT SPAY AND NEUTER PROGRAM

The Recreation and Community Services Department are proposing a cat only spay and neuter program to help cover up to one hundred fifty dollars (\$150) towards a cat spay or neuter for eligible Bell Gardens residents.

Recommendation:

It is staff's recommendation that the City Council:

1. Adopt a Resolution establishing a cat spay and neuter program and authorize the City Manager to execute Professional Services Agreements for a cat spay and neuter program, subject to City Attorney approval as to form, with Contractor; and
2. Appropriate \$20,000 per fiscal year for a cat spay and neuter program.

CITY COUNCIL / SUCCESSOR AGENCY MEMBER COMMENTS

ADJOURNMENT

Daisy Gomez, City Clerk

Agenda posted on November 9, 2023.