



CITY OF BELL GARDENS
CITY COUNCIL / SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
JOINT MEETING
MONDAY, JUNE 26, 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. 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
Jorgel Chavez, Council Member / Agency Member
Maria Pulido, Council Member / Agency Member
Francis De Leon Sanchez, Mayor Pro Tem / Vice Chair
Alejandra Cortez, Mayor / Chair

PRESENTATIONS

- **PROCLAMATION DECLARING THE MONTH OF JULY 2023 AS PARKS MAKE LIFE BETTER MONTH**

PUBLIC HEARING (Item No. 1)

1. CONSIDERATION OF ORDINANCE NO. 933 FOR ZONING CODE AMENDMENT NO. 2023-024 - RESIDENTIAL VEHICLE PARKING BACK-UP CLEARANCE

Ordinance No. 933 Zoning proposes to amend BGMC Title 9 (Zoning and Planning Regulations) to remove Section 9.46.030 (Specialized Rear Yard Requirements) of Chapter 9.46 (Yard Provisions) and amend Section 9.38.070 (Motor Vehicle Maneuvering and Parking Space Layout) of Chapter 9.38 (Parking and Loading (off-street)).

Recommendation:

It is recommended that the City Council:

1. Find the proposed ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061; and
2. Waive full reading and introduce Ordinance No. 933 by title only, amending Title 9 (Zoning and Planning Regulations) of the Bell Gardens Municipal Code ("BGMC") to remove Section 9.46.030 (Specialized Rear Yard Requirements) of Chapter 9.46 (Yard Provisions) and amend Section 9.38.070 (Motor Vehicle Maneuvering and Parking Space Layout) of Chapter 9.38 (Parking and Loading (off-street)).

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 (Items No. 2-18)

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 JUNE 12, 2023 CLOSED SESSION AND CITY / SUCCESSOR AGENCY JOINT MEETING

Approve the minutes of the June 12, 2023 Closed Session and City/Successor Agency Joint Meetings.

Recommendation:

It is staff's recommendation that the City Council approve the minutes of the June 12, 2023 Closed Session and City/Successor Agency Joint Meetings.

4. APPROVAL OF FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH TERRA REALTY, INC.

A request to approve a Fourth Amendment the Terra Realty Master Agreement for the 2023-2024 Fiscal Year to extend and increase the contract compensation.

Recommendation:

It is staff's recommendation that the City Council:

1. Adopt the attached Resolution and approve a Fourth Amendment to the Master Agreement between the City and Terra Realty Advisors; and
2. Find the proposed action exempt from the provisions of the California Environmental Quality

Act ("CEQA").

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 05/18/23, 05/23/23, 05/30/23/23, 06/01/23 and 06/06/23.

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 05/23/23.

7. APRIL 2023 TREASURER'S REPORT

The Treasurer's Report is a list of cash, investment portfolio and restricted bond cash held by the City.

Recommendation:

It is recommended that the City Council receive, approve, and file the April 2023 Treasurer's Report.

8. MARCH 2023 TREASURER'S REPORT

The Treasurer's Report is a list of cash, investment portfolio and restricted bond cash held by the City.

Recommendation:

It is recommended that the City Council receive, approve, and file the March 2023 Treasurer's Report.

9. MAY 2023 TREASURER'S REPORT

The Treasurer's Report is a list of cash, investment portfolio and restricted bond cash held by the City.

Recommendation:

It is recommended that the City Council receive, approve, and file the May 2023 Treasurer's Report.

10. ADOPTION OF PART-TIME HOURLY PAY SCHEDULE

Consideration to Adopt the Hourly Pay Schedule for Positions Designated as Temporary / Part-Time for FY 2023-24

Recommendation:

That the City Council, by motion, approve the attached Resolution adopting the hourly pay schedule for positions designated as temporary / part-time.

11. ADOPTION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BELL GARDENS AND THE CITY PUBLIC WORKS SUPERVISORS ASSOCIATION (PWSA)

In 2021, the City entered into an agreement with the City Public Works Supervisors Association (PWSA). This agreement is set to expire on June 30, 2023. In March 2023, the City commenced labor negotiations with the PWSA, multiple proposals were exchanged, and a tentative agreement was achieved in June 2023. and City management has been negotiating with the bargaining unit on a new agreement.

Recommendation:

It is Staff's recommendation that the City Council, by motion, approve the attached Resolution adopting a Memoranda of Understanding between the City of Bell Gardens and the Bell Gardens Public Works Supervisor's Association (PWSA) commencing as of July 1, 2023, and continuing through June 30, 2026.

12. APPROVAL TO ENTER INTO A CONTRACT WITH BLACK & WHITE EMERGENCY VEHICLES INC.

The Police Department requests approval to enter into a contract with Black and White Emergency Vehicles, Inc. for the installation of emergency and electronics equipment for one Ford Police Interceptor Utility vehicle that was purchased and approved by the City Council on September 12, 2022.

Recommendation:

It is staff's recommendation that the City Council:

1. Approve an agreement with Black and White Emergency Vehicles, Inc. for the purchase and installation of emergency and communications equipment for one previously purchased Ford Police Interceptor Utility vehicle that was approved by City Council on September 12, 2022 (Resolution 2022-93); and
2. Adopt a resolution authorizing the City Manager to execute an agreement with Black and White Emergency Vehicles, Inc.

13. ADOPT A RESOLUTION AUTHORIZING THE INSTALLATION OF RED CURB 'NO PARKING' RESTRICTIONS AT THE INTERSECTION OF EASTERN AVENUE AND PRIORY STREET

The Department of Public Works received a request from the Bell Gardens Police Department to evaluate the intersection of Eastern Avenue and Priory Street due to safety concerns with vehicles turning onto Eastern Avenue from Priory Street. The City Engineer completed a site investigation of the location to confirm existing roadway and sight distance conditions.

Recommendation:

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

authorizing the installation of the following parking restrictions:

1. Fifty feet of red curb 'no parking' restrictions at the northwest corner of the intersection of Eastern Avenue and Priory Street;
2. Forty feet of red curb 'no parking' restrictions at the southeast corner of the intersection of Eastern Avenue and Priory Street; and
3. Twenty feet of red curb 'no parking' restrictions at the northeast corner of intersection of Eastern Avenue and Priory Street.

14. INSTALLATION OF SPEED LIMIT SIGNS ON GREENWOOD AVENUE SOUTH OF GAGE AVENUE

The Department of Public Works received a request to evaluate the need for speed limit signs to encourage motorists to slow down on Greenwood Avenue, south of Gage Avenue. The City Engineer completed a site investigation.

Recommendation:

It is staff's recommendation that the City Council by motion:

1. Authorize the installation of 25 MPH speed limit signs facing northbound and southbound traffic on Greenwood Avenue south of Gage Avenue; and
2. Request traffic enforcement from the Police Department to enforce compliance with the posted stop signs and speed limits.

15. APPROVAL OF MEMORANDUM OF UNDERSTANDING AND TEFAP AGREEMENT WITH THE LOS ANGELES REGIONAL FOOD BANK

Approval of Memorandum of Understanding (MOU) and TEFAP Agency Agreement between the City of Bell Gardens and Los Angeles Regional Food Bank for monthly food distribution product.

Recommendation:

It is staff's recommendation that the City Council approve the attached MOU and TEFAP Agency Agreement between the City of Bell Gardens and Los Angeles Regional Food Bank for food supplies for a monthly food distribution.

16. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR THE 5K AND KIDS RUN RACE PRODUCTION AND MANAGEMENT

Adoption of Resolution and approval of a professional services agreement with Aztlan Athletics for a three-year term with the option of two one-year extensions.

Recommendation:

It is staff's recommendation that the City Council by motion:

1. Adopt the attached resolution and;
2. Approve a professional services agreement with Aztlan Athletics for the City's 5K and Kids Run Race Production and Management for a three-year term with the option of two one-year extensions.

17. APPROVAL OF AGREEMENT WITH MIRACLE RECREATION EQUIPMENT COMPANY FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR JULIA RUSS ASMUS PARK AND HANNON PARK

Approval of the Agreement with Miracle Recreation Equipment Company will provide for the purchase and installation of playground equipment for Julia Russ Asmus Park and Hannon Park.

The Agreement incorporates specific language required by the Clean California Local Grant Program.

Recommendation:

It is staff's recommendation that the City Council by motion approve the attached Agreement with Miracle Recreation Equipment Company, a subcompany of PlayPower, Inc., for the purchase and installation of playground equipment.

18. SECOND READING AND ADOPTION OF ORDINANCE NO. 934 (ZONING CODE AMENDMENT NO. 2023-040)

Second reading and adoption of Ordinance No. 934 (Zoning Code Amendment No. 2023-040), amending Title 5 (business licenses, regulations and taxes) of the Bell Gardens Municipal Code to add licensing and permit requirements for cannabis retail business, and amending Title 9 (zoning and planning regulations) to conditionally permit, or permit by development agreement, cannabis retail uses in commercial zones.

Recommendation:

It is staff's recommendation that the City Council waive full reading and adopt Ordinance No. 934 to conditionally permit commercial cannabis retail uses in commercial and industrial zones and require such business to obtain business regulatory permits subject to specific operating standards.

DISCUSSION (Items No.19)

19. ADOPTION OF THE FISCAL YEAR 2023-24 OPERATING AND CAPITAL IMPROVEMENT BUDGETS, COMPENSATION PLAN, AND ESTABLISHING THE APPROPRIATIONS LIMIT

Presented for adoption is the July 1, 2023 - June 30, 2024 Operating and Capital Improvement Budgets and Compensation Plan; and GANN Appropriations limit for FY 2023-2024 pursuant to Article XIII-B of the California State Constitution.

Recommendation:

It is staff's recommendation that the City Council by motion approve:

1. The attached Resolution adopting the fiscal year July 1, 2023 to June 30, 2024 (FY 2023-24) Operating and Capital Improvement Budgets and Compensation Plan; and
2. The attached Resolution establishing the GANN Appropriations limit for FY 2023-24 pursuant to Article XIII-B of the California State Constitution.

CITY COUNCIL / SUCCESSOR AGENCY MEMBER COMMENTS

Daisy Gomez, City Clerk

ADJOURNMENT

Agenda posted on June 22, 2023.