



**CITY OF BELL GARDENS**  
**CITY COUNCIL / SUCCESSOR AGENCY TO THE COMMUNITY**  
**DEVELOPMENT COMMISSION**  
**JOINT MEETING**  
**MONDAY, APRIL 10, 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](mailto: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](mailto: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.

## **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**

- **DONATION AND SIGNING OF POLICE DEPARTMENT ARTWORK BY CALIXTO SHIBAYA**
- **PROCLAMATION DECLARING THE MONTH OF APRIL AS ARTS, CULTURE, AND CREATIVITY ADVOCACY MONTH**
- **BLUDOT "OPEN REWARDS - SHOP LOCAL PROGRAM" PRESENTATION**
- **RIVERS AND MOUNTAINS CONSERVANCY RIVER RANGER PROGRAM**

## **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. 1 - 16)**

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.

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'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. **APPROVAL MINUTES OF MARCH 13, 2023 CLOSED SESSION AND CITY / SUCCESSOR AGENCY JOINT MEETING**

Approve the minutes of the March 13, 2023 Closed Session and City/Successor Agency Joint Meetings.

**Recommendation:**

It is staff's recommendation that the City Council approve the minutes of the March 13, 2023 Closed Session and City/Successor Agency Joint Meetings.

3. **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 02/28/23.

4. **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 02/28/23, 03/07/23, 03/14/23 and 03/21/23.

**5. JANUARY 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 January 2023 Treasurer's Report.

**6. FEBRUARY 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 February 2023 Treasurer's Report.

**7. CLAIM REJECTION**

A claim was filed with the City by Caltrese Clemons and Laura Maria Beltran Ontiveros. Staff directed the claims 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 claims.

**Recommendation:**

It is staff's recommendation that the City Council reject the following claims and the claimants and/or their representatives be notified:

- Catrese Clemons v. City of Bell Gardens (DOE 1/25/2023; DOR 3/1/2023)
- Laura Maria Beltran Ontiveros v. City of Bell Gardens (DOE 2/25/2023; DOR 3/7/2023)

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

**8. REJECTION OF BIDS FOR THE VARIOUS ALLEYS IMPROVEMENTS PROJECT (#3917)**

On February 13, 2023, City Council approved the plans and specs and authorized staff to solicit bids for the construction of this project. The project scope of work consists of reconstructing various alleys with the removal of the existing asphalt pavement and concrete ribbon gutter; repair and re-compaction of the subgrade as required; construct new concrete ribbon gutter; adjust meter boxes and vaults to grade and construct new asphalt pavement. At this time, staff has determined that it needs revise the bid solicitation materials in order to obtain a bid that is more appropriate for the City's needs.

**Recommendation:**

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

1. Approve the rejection of bids received on March 02, 2023, for the FY 2021-2022 Various Alley Improvement Project; and
2. Authorize staff to re-advertise and publish the Notice of Inviting Bids.

**9. ADOPTION OF MEMORANDA OF UNDERSTANDING BETWEEN THE CITY AND THE BELL GARDENS POLICE MANAGEMENT ASSOCIATION (BGPMA)**

The City commenced labor negotiations with the BGPMA in February 2023. After several negotiations sessions, the City has now reached tentative agreements with the BGPMA on successor Memoranda of Understanding (MOU) for the period of April 1, 2023 through March 31, 2026, subject to City Council approval.

**Recommendation:**

It is staff's recommendation that the City Council, by motion, approve the Resolution adopting the Memoranda of Understanding between the City and the Bell Gardens Police Management Association (BGPMA) commencing on April 1, 2023 and continuing through March 31, 2026.

**10. ADOPTION OF MEMORANDA OF UNDERSTANDING BETWEEN THE CITY AND THE BELL GARDENS POLICE OFFICERS ASSOCIATION (BGPOA)**

The City commenced labor negotiations with the BGPOA in February 2023. After several negotiations sessions, the City has now reached a tentative agreements with the BGPOA on successor Memoranda of Understanding (MOU) for the period of April 1, 2023 through March 31, 2026, subject to City Council approval.

**Recommendation:**

It is staff's recommendation that the City Council, by motion, approve the Resolution adopting the Memoranda of Understanding between the City and the Bell Gardens Police Officers Association (POA), commencing on April 1, 2023 and continuing through March 31, 2026.

**11. SECOND READING AND ADOPTION OF ORDINANCE NO. 931 ADDING CHAPTER 9.71 ART IN PUBLIC PLACES OF THE BELL GARDENS MUNICIPAL CODE**

Second Reading and Adoption of Ordinance No. 931, Art in Public Places.

**Recommendation:**

It is staff's recommendation that the City Council waive full reading and adopt Ordinance No. 931, by title only, amending Title 9 of the Bell Gardens Municipal Code to add Chapter 9.71, "Art in Public Places."

**12. SECOND READING OF AND ADOPTION OF ORDINANCE NO. 932 AMENDING CHAPTER 5.56 (SIDEWALK VENDING) OF THE BELL GARDENS MUNICIPAL CODE**

Second reading and adoption of Ordinance No. 932 amending Chapter 5.56 (sidewalk vending) of the Bell Gardens Municipal Code.

**Recommendation:**

It is staff's recommendation that the City Council waive full reading and adopt Ordinance No. 932, by title only, amending Chapter 5.56 ("Sidewalk Vending") of the Bell Gardens Municipal Code.

**13. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT BETWEEN REVENUE & COST SPECIALISTS LLC AND THE CITY FOR THE PREPARATION OF A RENT STABILIZATION AND TENANT EVICTION PROTECTIONS (RSTEP) PROGRAM COMPREHENSIVE FEE STUDY**

Comprehensive Fee Study to determine the full cost of administering and enforcing the City's Rent Stabilization and Tenant Eviction Protections Ordinance.

**Recommendation:**

It is staff's recommendation that the City Council adopt the attached resolution approving a Professional Services Agreement ("PSA") with Revenue & Cost Specialists, LLC ("RCS"), for the preparation of a comprehensive fee study associated with the City's Rent Stabilization and Tenant Eviction Protections Ordinance.

**14. 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 the three Ford Police Interceptor Utility vehicles that were purchased and approved by the City Council on February 27, 2023.

**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 the three previously purchased Ford Police Interceptor Utility vehicles that were approved by City Council on February 27, 2023 (Resolution 2023-11); and
2. Adopt a resolution authorizing the City Manager to execute an agreement with Black and White Emergency Vehicles, Inc.

**15. AWARD OF CONTRACT FOR THE CITYWIDE STRIPING AND MARKING PROJECT (#3916)**

On February 13, 2023, the City Council approved the plans and specifications and gave staff authorization to solicit bids for the FY 2022-2023 Citywide Striping Project. The project scope of work consists of re-striping all lane lines, double lines, yellow lane lines, edge lines and other lane striping with no bid alternates. On March 2, 2023 the City received two (2) bid proposals.

Staff conducted an analysis of the apparent lowest bidder PCI. This analysis included a review of their bid schedule, bid bond, license, references, and all required documentation. It has been determined that PCI is the lowest responsive and responsible bidder. Therefore, staff is recommending that the City Council by motion award of a construction contract to PCI.

**Recommendation:**

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

1. Award a construction contract to PCI in the amount of \$101,310 for the FY 2022-2023 Citywide Striping Project – C.I.P. No. 3916; 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.

**16. ADOPT A RESOLUTION AUTHORIZING PARTICIPATION IN THE OPIOID NATIONAL SETTLEMENTS ARISING OUT OF IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION, U.S. DISTRICT COURT, NORTHERN DISTRICT OF OHIO EASTERN DIVISION, CASE NO. 1:17-MD-02804**

Approximately \$20.2 billion in nationwide settlements have been reached with two opioid manufacturers and three retailers/pharmacies. The settlement is comprised of approximately \$6.6 billion with Teva and Allergan, and approximately \$13.5 billion with CVS, Walgreens, and Walmart, in an effort to hold the Opioid Defendants financially responsible for the opioid epidemic's local

impacts. These five settlements are in addition to a \$26 billion settlement reached in 2022.  
**Recommendation:**

It is staff's recommendation that the City Council adopt the attached resolution authorizing the City to:

1. Enter into five national opioids litigation settlement agreements with Teva, Allergan, CVS, Walgreens, and Walmart;
2. Agree to the terms of the related State-Subdivision agreements; and
3. Authorize entry into the related State-Subdivision agreements with the Attorney General.

## **DISCUSSION (Item Nos. 17 - 18)**

### **17. UPDATE ON FORD PARK INFILTRATION CISTERN PROJECT**

The John Anson Ford Park Infiltration Cistern Project is a regional project that will capture trash, nutrients, heavy metals, bacteria, and reduce toxicity in the urban runoff from the watershed by installing stormwater and dry weather flow diversion pre-treatment, retention, and infiltration facilities that will capture and infiltrate the stormwater runoff prior to it reaching the Rio Hondo. In addition to this, the project will capture the runoff water, helping augment the regional water supply in the Central Basin. It will meet the requirements of the LARWQCB MS4 Permit by capturing and treating runoff from a 2,295-acre watershed within the Lower Los Angeles River Upper Reach 2 Watershed Management Area which consists of the cities of Bell, Bell Gardens, Commerce, Cudahy, Huntington Park, Maywood and Vernon. The project will be completed late summer or fall 2023. Once completed the project will be a huge environmental benefit, as the City will have made significant strides in meeting regional water quality objectives. It is staff's recommendation that the City Council by motion receive and file this status report update.

#### **Recommendation:**

It is staff's recommendation that the City Council by motion receive and file the John Anson Ford Park Infiltration Cistern Project Status Update.

### **18. SPORTS CENTER FIELD USAGE**

Overview of the current Sports Center field usage.

#### **Recommendation:**

It is staff's recommendation that the City Council receive and file this report.

## **CITY COUNCIL / SUCCESSOR AGENCY MEMBER COMMENTS**

### **ADJOURNMENT**

**Daisy Gomez, City Clerk**

Agenda posted on April 6, 2023.