



CITY OF BELL GARDENS
CITY COUNCIL / SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
JOINT MEETING
MONDAY, JANUARY 9, 2023, 6:00 PM
AGENDA

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

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On September 16, 2021, Governor Newsom signed Assembly Bill 361 (AB 361), which was effective immediately and amends Government Code section 54953 to allow a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to AB 361, please be advised that members of the Bell Gardens City Council / Successor Agency to the Community Development may participate in meetings telephonically. The meeting will be held at Bell Gardens City Hall in the Council Chambers. The public may attend the meeting in person or may view the meeting online. The meeting will be recorded and live streamed 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 Chamber will have seating available for members of the public to attend the meeting in-person. For your safety, space is currently limited to 50 members of the public. Masking is required for all in attendance. 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:6699009128) 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 clicking here 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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL / SUCCESSOR AGENCY 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

- **GRID ALTERNATIVES - GREATER LOS ANGELES**

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.

SUCCESSOR AGENCY CONSENT CALENDAR (Item Nos. 1 - 3)

1. **APPROVAL MINUTES OF JANUARY 24, 2022, AUGUST 22, 2022, NOVEMBER 14, 2022, AND DECEMBER 12, 2022 SUCCESSOR AGENCY REGULAR MEETING**

Approve the minutes of the January 24, 2022, August 22, 2022, November 14, 2022, and December 12, 2022 Regular Successor Agency Meeting.

Recommendation:

It is staff's recommendation that the Successor Agency approve the minutes of the Regular Successor Agency meeting of January 24, 2022, August 22, 2022, November 14, 2022, and December 12, 2022.

2. **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 recommended that the Successor Agency Members receive and file the warrant registers dated 11/29/22 and 12/13/22.

3. A JOINT RESOLUTION OF CITY COUNCIL AND SUCCESSOR AGENCY APPROVING BG HOUSING PARTNERS' SUBORDINATION REQUEST OF THE SUCCESSOR AGENCY'S LOAN AND AN ACCOMODATION DEED OF TRUST FOR THE CONTINUED USE OF CITY PROPERTY AS COLLATERAL FOR THE REFINANCE OF SENIOR HOUSING PROPERTY LOCATED AT 6722 CLARA STREET

Joint City Council and Successor Agency Resolution agreeing to the subordination of the Successor Agency's existing loan for the property located at 6722 Clara Street (A.K.A., Parkview Terrace Senior Housing operated by BG Housing Partners, LLC) (APN: 6228-028-019) (the "Property") to the new refinanced loan and agreeing to allow a deed of trust to be placed on the Property as collateral for the new refinanced loan.

[This Staff Report has been prepared for concurrent actions of the Successor Agency and the City Council. The documents require signatures from both the Successor Agency and the City Council.]

Recommendation:

It is staff's recommendation that by concurrent action, the City Council and Successor Agency approve the Joint Resolution agreeing to the subordination of the Successor Agency's existing loan for the property located at 6722 Clara Street (A.K.A., Parkview Terrace Senior Housing operated by BG Housing Partners, LLC) (APN: 6228-028-019) (the "Property") to the new refinanced loan and agreeing to allow a deed of trust to be placed on the Property as collateral for the new refinanced loan.

CITY COUNCIL PUBLIC HEARING (Item Nos. 4 - 5)

4. CONSIDERATION OF A GENERAL PLAN AMENDMENT AND ADOPTION OF AN OFFICIAL ZONING MAP; INTRODUCTION OF AN ORDINANCE AMENDING TITLE 9 (ZONING AND PLANNING REGULATIONS); AND ADOPTION OF A NEGATIVE DECLARATION IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Bell Gardens General Plan is a comprehensive, long-range blueprint for the City's future, serves as its constitution, and was last fully revisited and amended in 1995. The General Plan's Housing Element was further amended on February 14, 2022, for the 2021-2029 planning period in accordance with state law and the California Housing and Community Development Department to implement policies and programs that would facilitate adequate housing production for all economic segments of the community. On November 16, 2022, the Bell Gardens Planning Commission

adopted a resolution recommend affirmative City Council action to update official land use and zoning maps, approve a General Plan amendment, and consider a Zoning Code amendment introduced with Ordinance No. 929 to amend Title 9 Zoning and Planning of the Bell Gardens Municipal Code in keeping with previous actions to meet the City's development and growth management goals.

Recommendation:

It is staff's recommendation that the City Council conduct the public hearing, receive testimony, and take the following actions:

1. Find that the prepared Initial Study/Negative Declaration ("IS/ND") reflects the independent judgement of this agency and adopt the negative declaration pursuant to local and California Environmental Quality Act ("CEQA") Guidelines
2. ; Approve and adopt the amended General Plan Land Use Map;
3. Approve and adopt the updated Zoning Map;
4. Approve and adopt Zoning Code Amendment 2021-063; and,
5. Waive full reading and introduce Ordinance No. 929 by title only, amending Title 9 of the Bell Gardens Municipal Code ("BGMC"), Zoning and Planning Regulations.

5. ADOPTION OF 2022 CALIFORNIA BUILDING CODES

Adoption of the 2022 California Building, Electrical, Plumbing, Mechanical, Residential, Green Building, and Fire Codes.

Recommendation:

Staff recommends that the City Council conduct a public hearing, receive testimony, and waive full reading and introduce Ordinance No. 930 adopting by reference Titles 26 through 31, 2022 Los Angeles County Building Codes and Title 32, 2022 Los Angeles County Fire Code.

CITY MANAGER'S REPORT

CITY COUNCIL CONSENT CALENDAR (Item Nos. 6 - 13)

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.

6. 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.

7. CONSIDERATION AND APPROVAL OF A 30-DAY RESOLUTION REGARDING THE CONDUCT OF TELECONFERENCED MEETINGS OF THE CITY COUNCIL AND OTHER CITY BODIES UNDER THE MODIFIED RULES SET FORTH UNDER GOVERNMENT CODE SECTION 54953(E)

AB 361 was signed in to law on September 16, 2021, and immediately went into effect, authorizing local government bodies continue to meet remotely contingent on their compliance of the newly amended Government Code Section 54953.

In compliance with the modified rules set forth under Government Code Section 54953(e), the City Council is requested to reconsider the circumstances regarding the previously approved 30-day resolution authorizing teleconferenced meetings of the City Council and all other city bodies and either extend the authorization or terminate.

Recommendation:

It is staff's recommendation that the City Council adopt or approve the attached Resolution permitting the City conduct public meetings virtually for all public bodies subject to the Brown Act in accordance with the requirements of AB 361, which will require reauthorization every thirty (30) days.

8. CONSIDERATION OF A RESOLUTION REAFFIRMING RESOLUTION NO. 2020-21 WHICH DECLARED A LOCAL EMERGENCY DUE TO THE PUBLIC THREAT CAUSED BY CORONAVIRUS (COVID-19)

On March 17, 2020, the City of Bell Gardens City Council adopted Resolution No. 2020-21 declaring a local emergency due to COVID-19 as authorized by Government Code Section 8630 and Title 2 (Administration and Personnel), Chapter 2.34 (Disaster Council), Section 2.34.030 (Created – Membership) of the Bell Gardens Municipal Code ("Code"). Government Code Section 8630(c) states that a City Council "shall review the need for continuing the local emergency at least once every 60 days until the governing body terminates the local emergency." The conditions of extreme peril to the safety of persons and property continue due to COVID-19 in the City of Bell Gardens.

Recommendation:

It is staff's recommendation that the City Council approve the attached resolution reaffirming the declared local emergency due to the public threat caused by coronavirus (COVID-19).

9. APPROVAL MINUTES OF AUGUST 22, 2022 CITY COUNCIL REGULAR MEETING

Approve the minutes of the August 22, 2022 Regular City Council Meeting.

Recommendation:

It is staff's recommendation that the City Council approve the minutes of the Regular City Council meeting of August 22, 2022.

10. 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 11/03/22, 11/17/22, 11/29/22, 12/01/22, 12/06/22, 12/13/22 and 12/14/22.

11. CLAIM REJECTION

A claim was filed with the City by Armando M. Herman. 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:

- Armando M. Herman v. City of Bell Gardens (DOE 10/24/2022; DOR 10/27/2022)

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.

12. ADOPT A RESOLUTION AUTHORIZING PARKING RESTRICTIONS AND TRAFFIC SAFETY IMPROVEMENTS AT TOLER AVENUE AND FLORENCE PLACE

The Department of Public Works received a request to evaluate the intersection of Florence Avenue and Toler Avenue due to safety concerns with vehicles turning onto Florence Place from Toler Avenue. In reviewing the site conditions, installing red curb at the northeast corner of the intersection would improve sight distance for left turning motorists travelling southbound on Toler Avenue to eastbound on Florence Place. In addition, modifying the existing striping along with installing delineators on eastbound Florence Place would provide a safer and clear assignment of right-of-way for traffic from Toler Avenue and from Florence Avenue, travelling eastbound on Florence Place. Therefore, it is staff's recommendation that the City Council adopt the attached Resolution authorizing Parking Restrictions for the installation of 20 feet of red curb at the northwest corner of the intersection; authorize the extension of the existing solid lane line on eastbound Florence Place east of Florence Avenue/Toler Avenue for approximately 80 feet; authorize the installation of two straight "arrow" pavement markings for eastbound traffic on Florence Place, approximately 100 feet east of Florence Avenue/Toler Avenue; and authorize the installation of delineators/candle sticks to delineate eastbound traffic on Florence Place for approximately 150 feet east of Florence Avenue/Toler Avenue.

Recommendation:

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

1. Adopt the attached Resolution authorizing Parking Restrictions; and
2. Authorize the installation of 20 feet of red curb at the northwest corner of the intersection; and
3. Authorize the extension of the existing solid lane line on eastbound Florence Place east of Florence Avenue/Toler Avenue for approximately 80 feet; and
4. Authorize the installation of two straight "arrow" pavement markings for eastbound traffic on Florence Place, approximately 100 feet east of Florence Avenue/Toler Avenue; and
5. Authorize the installation of delineators/candle sticks to delineate eastbound traffic on Florence Place for approximately 150 feet east of Florence Avenue/Toler Avenue.

13. ADOPT A RESOLUTION AUTHORIZING PARKING RESTRICTIONS AT GARFIELD AVENUE AND SHULL STREET

The Department of Public Works received a request to evaluate the intersection of Garfield Avenue and Shull Street due to safety concerns reporting obstructed view of oncoming Garfield traffic for vehicles turning from Shull Street. In reviewing the site conditions, it was determined that installing red curb at the southwest corner of the intersection would improve sight distance for motorists travelling westbound on Shull Street turning left onto Garfield Avenue. Therefore it is staff's recommendation that City Council adopt the attached resolution authorizing parking restrictions for the installation of 25 feet of red curb at the southwest corner of Garfield Avenue and Shull Street.

Recommendation:

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

1. Adopt the attached resolution authorizing parking restrictions; and
2. Authorize the installation of 25 feet of red curb at the southwest corner of Garfield Avenue and Shull Street.

CITY COUNCIL DISCUSSION (Item Nos. 14 - 16)

14. COMMUNITY ENGAGEMENT TOOL (CITY APP) UPDATE

City staff continue to evaluate different mobile app providers that are able to deploy a fully customizable mobile app for the City of Bell Gardens. A Request for Proposals (RFP) will be released in January 2023, staff will review the proposals at the end of February 2023 and a report with a recommendation will be brought back for City Council consideration in March/April 2023.

Recommendation:

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

15. 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.

16. CITY COUNCIL APPOINTMENT TO EXTERNAL COMMITTEES

City Council Members serve on various external boards and committees, representing the City of Bell Gardens. This report provides a listing of all the boards and committees and the names of the Council Members that serve on the boards/committees. The Council may make appointment revisions to this list at this time.

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.

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.

CITY COUNCIL / SUCCESSOR AGENCY MEMBER COMMENTS

ADJOURNMENT

Daisy Gomez, City Clerk

Agenda Posted On: January 5, 2023.