



**CITY OF BELL GARDENS
SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, JUNE 8, 2015, 6:00 P.M.
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 Successor Agency Secretary at (562) 806-7706. Notification 48 business hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBERS

Priscilla Flores, Agency Member
Jose Mendoza, Agency Member
Maria Pulido, Agency Member
Pedro Aceituno, Vice Chair
Jennifer Rodriguez, Chair

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 SUCCESSOR AGENCY AGENDA ONLY. Submit a WHITE public comment card with the agenda item number you would like to discuss to the Successor Agency Secretary 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 Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the Successor Agency from discussing any item not appearing on the posted Successor Agency Agenda.

CONSENT CALENDAR (Item No. 1 – 2)

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 Successor Agency to the Community Development Commission 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. MINUTES

May 11, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the Successor Agency to the Community Development Commission approve the minutes for the Regular Successor Agency Meetings of May 11, 2015.

2. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the Successor Agency receive and file the following transactions:

Warrant register dated	05/05/15	Check #s	12741	\$	<u>1,341.32</u>
Warrant register dated	05/12/15	Check #s	12742 – 12743	\$	<u>2,386.80</u>
Warrant register dated	05/19/15	Check #s	12744	\$	<u>2,400.00</u>
			Total	\$	<u>6,128.12</u>

In approving the action of receiving and filing the warrant registers, the official minutes of the Bell Gardens Successor Agency to the Community Development Commission 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.

PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE SUCCESSION AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION

(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 SUCCESSOR AGENCY ONLY. Submit a PINK public comment card with the matter you would like to discuss to the Successor Agency Secretary 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 Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the Successor Agency from discussing any item not appearing on the posted Successor Agency Agenda.

SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, JUNE 8, 2015, 6:00 P.M.
AGENDA**

LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS, CA

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CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS

Priscilla Flores, Councilmember
Jose Mendoza, Council Member
Maria Pulido, Council Member
Pedro Aceituno, Mayor Pro Tem
Jennifer Rodriguez, 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 (Item No. 1 – 10)

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 READ ALL ORDINANCES BY TITLE ONLY

In order to expedite the conduct of business at 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. MINUTES

April 13, 2015, April 27, 2015, and May 11, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the minutes for the Regular City Council Meetings of April 13, 2015, April 27, 2015, and May 11, 2015.

3. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the City Council receive and file the following transactions:

Warrant register	04/28/15	Check #s	153460 – 153530		<u>\$ 346,747.91</u>
Warrant register	05/05/15	Check #s	153531 – 153600		
Wire transfers	04/30/15	Wire #s	1044-1045	\$ 552,976.87	
Payroll transfer	04/30/15		Net payroll	<u>\$ 366,024.84</u>	<u>\$ 919,001.71</u>
Warrant register	05/12/15	Check #s	153601 – 153605		<u>\$ 1,763.60</u>
Warrant register	05/12/15	Check #s	153606 – 153678		<u>\$ 317,063.32</u>
Warrant register	05/19/15	Check #s	153679 – 153763		
Wire transfers	05/14/15	Wire #s	1046-1047	\$ 589,909.51	
Payroll transfer	05/14/15		Net payroll	<u>\$ 343,141.14</u>	<u>\$ 933,050.65</u>
Total =					\$ 2,517,627.19

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.

4. APPROVAL OF APRIL 2015 TREASURER'S REPORT

The Treasurer's Report is a list of the City's cash and investments for the month.

Recommendation: It is staff's recommendation that the City Council receive, approve, and file the April 2015 Treasure's Report.

5. REJECTION OF CLAIMS

The City directed the original claim filed by Benito and Maria Covarrubias to Carl Warren & Company and following an investigation by the City's claim management company, this claim has been prepared for rejection.

Recommendation: It is staff's recommendation that the City Council reject the claim filed by Benito and Maria Covarrubias. In accordance with the standard operating procedures, these claims have been prepared for rejection following a recommendation provided by the City's claims management company, Carl Warren & Company, and in a manner that allows these claimants, subject to certain exceptions, up to six months to file a court action on their claim.

6. FIREWORK STAND APPLICATIONS

Pursuant to Bell Gardens Municipal Code (Code) Section 16.40, no person shall sell fireworks within the City without first having applied for and received a permit in compliance with the terms set forth in the Code. Permits are issued only to non-profit associations or corporations organized primarily for veteran, patriotic, welfare, civic betterment, or charitable purposes which: 1) have a principal and permanent meeting place in the City; 2) have been organized and established in the area within the City for a minimum of two years continuously preceding the filing of the application, and 3) have a bona fide membership of at least twenty members. The six applicants in compliance with the code provisions received by the Community Development Department: 1) La Senda Antigua; 2) La Pentecostals; 3) Mision Cristiana "Monte De Sion"; 4) Full Gospel Assembly of God; 5) Iglesia del Nazareno Nueva Vida; 6) Bell Gardens High School Band Boosters.

Recommendation: It is staff's recommendation that the City Council approve the six applications from organizations seeking to operate firework stands within the City limits from June 28, 2015, 12:00 p.m., through July 5, 2015, 12:00 p.m.

7. **COMMERCIAL SOLID WASTE NON-EXCLUSIVE FRANCHISE AGREEMENTS**

Currently there are seven (7) solid waste firms operating within the city limits of Bell Gardens that offers commercial/multi-family/industrial solid waste services. These firms are currently operating under five (5) year agreements that were approved on March 22, 2010 and are due to expire on June 30, 2015. The current firms are:

- 1) AAA Disposal, Inc.
- 2) Athens Disposal
- 3) CalMet Service, Inc
- 4) Haul-Away Rubbish
- 5) United Pacific Waste
- 6) Universal Waste Systems
- 7) Waste Management

Additionally, two (2) new firms, Commercial Waste Service and Republic Services, have submitted new applications. They currently do not operate in the City but, if approved, will be submitting all fees, documentation, insurance and bonding requirements prior to the effective date of July 1, 2015, as required of all franchised haulers.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2015-44 approving five (5) year Commercial Solid Waste Non-Exclusive Franchise Agreements with nine (9) Commercial Waste Haulers.

8. **NOVEMBER 3, 2015 GENERAL MUNICIPAL ELECTION RESOLUTIONS CALLING FOR ELECTION AND REQUESTING CONSOLIDATION SERVICES WITH LOS ANGELES COUNTY**

Bell Gardens Municipal Code Chapter 2.60 states that pursuant to Section 1301 of the California Elections Code, the General Municipal Election date shall be the first Tuesday after the first Monday in November of odd-numbered years. The next General Municipal Election is scheduled for November 3, 2015 for the election of two (2) Council seats. The seats are currently filled by: 1. Pedro Aceituno and 2. Jennifer Rodriguez. Staff estimates that the costs for the consolidation services with Los Angeles County will be approximately \$90,000. There are also other costs to conduct an election which are not provided by the County. These costs include required newspaper publications in English and Spanish and the foreign language translation of those publications. Funds for the election are included in the proposed Fiscal Year 2015-2016 City Clerk's Department budget. The County typically invoices after the first of the year following the election.

Recommendation: It is staff's recommended that the City Council adopt Resolution No. 2015-39, calling for the for the holding of a General Municipal Election to be held on Tuesday, November 3, 2015, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities; adopt Resolution No. 2015-40, requesting the Board of Supervisors of the County of Los Angeles to consolidate a General Municipal election to be held on Tuesday, November 3, 2015, with the Local and Municipal Consolidated Election to be held on the date pursuant to § 10403 of the Elections Code; and adopt Resolution No. 2015-41, adopting regulations for candidates for elective office pertaining to candidates' statements submitted to the voters at an election to be held on Tuesday, November 3, 2015.

9. **ORDINANCE 868 – AMENDING CHAPTER 2.08 OF THE BELL GARDENS MUNICIPAL CODE**

An Ordinance Amendment to Chapter 2.08 of the Bell Gardens Municipal Code is recommended in order to revise the City Manager's powers and duties to more effectively and efficiently manage and evaluate the day-to-day operations and performance of all Department Directors, with the exception of the position of City Attorney. Under the City Council-City Manager form of government which the City of Bell Gardens operates, the City Council provides policy direction and appoints a City Manager who administers the affairs of the City on a daily basis, including direction and supervision of all City personnel. Presently, the City Treasurer position is concurrently held by the Director of Finance and Administrative Services, which by the Municipal Code, is appointed by the City Manager. The Ordinance Amendment simply removes old language which has never been changed and refers to the City Treasurer as a separate, stand-alone position. The City Clerk is the only member of the City Manager's executive management team appointed by the City Council and the only Department Director in which the City Manager has no power or authority to appoint or to directly supervise. This arrangement removes the "political sensitivity" of a City Council-controlled appointment and any perception/opinion of a conflict of interest. The Ordinance Amendment simply gives the City Manager the same authority and responsibility over all Department Directors, with the exception of the City Attorney who will continue to be appointed and evaluated by the City Council.

Recommendation: It is staff's recommendation that the City Council introduce Ordinance No. 868 and waive first reading, an Ordinance of the City of Bell Gardens Amending Sections 2.08.080 and 208.100 of the Bell Gardens Municipal Code in order to amend the powers and duties of the City Manager in relation to the positions of City Treasurer and City Clerk.

10. **LOCAL COMMISSIONS APPOINTMENTS LIST**

The local appointments list includes the Bell Gardens Commissions and Commissioners. The City Council adopted Ordinance No. 825 on July 13, 2009 which consolidated the existing City Commissions and established minimum requirements for service. It should be noted that all Commission Members must reside within the City of Bell Gardens and may only serve on one Commission at a time. Once appointed, each Commissioner must adhere to the requirements of the City's Conflict of Interest Code and state-mandated AB 1234 ethics training. Ordinance 825 allows each Council Member to nominate one (1) candidate per Commission, subject to the approval of the Council majority. The appointed Commission Member will serve a term that coincides with the term of the Council Member who made the original nomination. Once appointments are made, the City Council will recognize all outgoing and incoming Commissioners. The new members will receive their Oath of Office and will begin service with their respective Commission at the next regularly scheduled Commission meeting. The City Clerk's Office will arrange for the proper filing of Conflict of Interest Code paperwork and schedule AB 1234 ethics training.

Recommendation: It is staff's recommendation that the City Council receive and file the local commissions appointments list.

DISCUSSION (Item No. 11)

11. **APPROVAL OF FISCAL YEAR 2015/16 OPERATING AND CAPITAL IMPROVEMENT BUDGETS AND COMPENSATION PLAN; AND ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2015/16**

On an annual basis, the City of Bell Gardens adopts an annual budget consisting of projected revenues and proposed expenditures. The proposed expenditures specify the

spending plan for the upcoming fiscal year, while the projected revenues address the resources expected to be available to fund the expenditures. Depending on the difference between the proposed expenditures and projected revenues, there will be a deficit, surplus or a balanced budget. Also, on an annual basis, California cities are required to complete an appropriations calculation for each fiscal year. The City's auditors are required to review and approve the appropriations calculator as part of the audit of the City. Article XIII-B of the California State Constitution places limits on the amount of revenue that can be spent by all entities of government.

Recommendation: It is staff's recommendation that the City Council approve Resolution No. 2015-43, adopting the fiscal year July 1, 2015 to June 30, 2016 (FY15/16) Operating and Capital Improvement Budgets and Compensation Plan; and approve Resolution No. 2015-42, establishing the Appropriations Limit for FY15/16.

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

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CITY COUNCIL MEMBER COMMENTS

ADJOURNMENT