



**CITY OF BELL GARDENS  
CITY COUNCIL  
REGULAR MEETING – CLOSED SESSION  
MONDAY, JULY 27, 2015, 5:00 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**

**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 CLOSED SESSION AGENDA ONLY. Submit a WHITE public comment card with the closed session 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 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.

**CLOSED SESSION:**

- a. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Government Code Section 54956.9(a))**

*City of Bell Gardens v. United Motor Club, Inc. – Case No. BC528448*

- b. **PUBLIC EMPLOYMENT – CITY CLERK  
(Pursuant to Government Code Section 54957(b))**



**CITY OF BELL GARDENS  
SUCCESSOR AGENCY TO THE COMMUNITY  
DEVELOPMENT COMMISSION  
REGULAR MEETING  
MONDAY, JULY 27, 2015, 6:00 P.M.  
AGENDA**

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

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**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**

June 22, 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 June 22, 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	06/16/15	Check #s	12746	\$	92.75
Warrant register dated	07/07/15	Check #s	12747	\$	6,937.58
<b>Total</b>				\$	<b>7,030.33</b>

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 SUCCESSOR 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, JULY 27, 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 City Clerk 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**

**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

**CITY ATTORNEY CLOSED SESSION REPORT**

**PRESENTATION**

- Presentation by Dan Clement and Andy Castillo on the College Bound Today Program

**PUBLIC HEARING (Item No. 1)**

**1. ADOPTION OF RESOLUTION NO. 2015-47, AUTHORIZING PARTICIPATION IN THE CALIFORNIA HERO ENERGY PROGRAM AND APPROVING AN AMENDMENT TO A RELATED JOINT POWERS AUTHORITY**

On June 14, 2010, the City Council adopted Resolution No. 2010-24 authorizing participation in the Los Angeles County Energy Program ("LACEP"). LACEP is the County's version of what is commonly referred to as a Property Assessed Clean Energy Program ("PACE"). Signed into State law in 2008, PACE provides financing to qualified residential and commercial property owners for the installation of energy and water efficiency improvements, such as solar energy systems, Energy Star windows and doors, high-efficiency air conditioning units, electric vehicle charging stations and water efficient irrigation systems. Through LACEP, the City of Bell Gardens ("City") participates in two residential programs, administered by third parties, and one commercial program administered by the County directly. In order to provide commercial property owners with more choices and to encourage competitive pricing, City staff recommends authorizing California Home Energy Renovation Opportunity ("California HERO") as a second commercial PACE program.

**Recommendation:** It is staff's recommendation that the City Council open a public hearing, receive testimony, and adopt Resolution No. 2015-47, authorizing participation in the California HERO energy program; and approve the Amendment to the Joint Powers Agreement adding the City of Bell Gardens as an associate member of the Western Riverside Council of Governments to permit the provision of the California HERO energy program.

## PUBLIC COMMENTS ON AGENDA ITEMS ONLY

### (Three minutes per person, subject to a total period of 30 minutes)

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## CONSENT CALENDAR (Item No. 2 – 12)

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.

### 2. GENERAL MOTION TO READ ALL ORDINANCES BY TITLE ONLY

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. MINUTES

June 22, 2015 – Regular Meeting Minutes

**Recommendation:** It is staff's recommendation that the City Council approve the minutes for the Regular City Council Meeting of June 22, 2015.

### 4. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant register	06/09/15	Check #s	153898 – 153958		\$ 107,284.15
Warrant register	06/16/15	Check #s	153959		\$ 309.49
Warrant register	06/16/15	Check #s	153960 – 154033		
Wire transfers	06/11/15	Wire #s	1050 – 1051	\$ 493,234.38	
Payroll transfer	06/11/15		Net payroll	\$ 356,743.52	\$ 849,977.90
Warrant register	06/23/15	Check #s	154034 – 154122		\$ 2,340,287.59
Warrant register	06/30/15	Check #s	154123 - 154205		
Wire transfers	06/25/15	Wire #s	1052 – 1053	\$ 357,952.54	
Payroll transfer	06/25/15		Net payroll	\$ 358,489.30	\$ 716,441.84
Warrant register	07/01/15	Check #s	154206 – 154217		\$ 255,193.22
Warrant register	07/07/15	Check #s	154218 – 154273		\$ 242,065.94
Warrant register	07/07/15	Check #s	154274 – 154279		\$ 2,148,264.46
<b>Total =</b>					<b>\$ 6,659,824.59</b>

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.

5. **APPROVAL OF MAY 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 May 2015 Treasurer's Report.

6. **REJECTION OF CLAIMS**

The City directed the original claims filed by Maria Guadalupe Blanco and Derrik Michael Raymond Torres to Carl Warren & Company and following an investigation by the City's claim management company, these claims have been prepared for rejection.

**Recommendation:** It is staff's recommendation that the City Council reject the claims filed by Maria Guadalupe Blanco and Derrik Michael Raymond Torres. In accordance with the standard operating procedures, these claims have been prepared for rejection following a recommendation provided by the City's claim 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.

7. **CONTRACT WITH ENTERPRISE FLEET MANAGEMENT, INC FOR POLICE VEHICLE LEASES**

City Council approval is requested to enter into a contract with Enterprise Fleet Management, Inc. (Enterprise) to lease vehicles as needed by the Police Department for administrative, undercover and surveillance operations. The police department has been utilizing Enterprise to lease similar vehicles for at least 5 years. Enterprise has a lease program whereby police department can lease vehicles for various terms and operational needs. This contract would allow the police department greater flexibility to lease and/or replace vehicles of various makes and models, as needed, over the contract period. By leasing newer vehicles and updating the fleet, the goal is to reduce operational maintenance and fuel costs as newer models are typically much more fuel efficient. In addition, newer and more dependable vehicles would be available to support police department operations, thereby avoiding down time which is presently occurring on a regular basis. For leases with a 48 month term, the City would have the opportunity to purchase the vehicle if it is determined to be a viable option, or return the vehicle to Enterprise at no additional cost to the City. Enterprise proposes the same lease rates as those offered to the City of Long Beach under its competitive bid process.

**Recommendation:** It is staff's recommended that the City Council waive the formal bid process and approve a contract with Enterprise Fleet Management, Inc. for the lease of administrative, undercover and surveillance vehicles for the police department at a cost not to exceed \$45,000 annually.

8. **APPROVAL OF CONTRACT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSULTANT SERVICES**

The City of Bell Gardens receives approximately \$585,000 annually in Community Development Block Grant (CDBG) funds through a program established by the U. S. Department of Housing and Urban Development (HUD). These funds provide for community development projects which benefit persons of low and moderate income levels and aid in the prevention or elimination of blighted conditions. The CDBG Program is administered by the Los Angeles County Community Development Commission (LACDC), which is the agency the City interacts with to coordinate overall program management. The City has contracted with consultant staff to administer its CDBG program and projects. These administrative services are fully paid for with CDBG funds. A Request for Proposal (RFP) was requested from six (6) firms to provide the needed consultant services for CDBG project administration. Upon review, staff recommends that Diana Cho and Associates (Diana Cho) be awarded a contract to administer the Community Development Block Grant Program. Diana Cho and Associates have

provided CDBG services for the City of Bell Gardens since 2004 and have consistently met program requirements set forth by the LACDC.

**Recommendation:** It is staff's recommended that the City Council adopt Resolution No. 2015-49, approving and authorizing the contract by and between the City of Bell Gardens and Diana Cho and Associates for CDBG consultant services.

9. **RESOLUTION NO. 2015-51, ADOPTING THE GREATER LOS ANGELES INTEGRATED REGIONAL WATER MANAGEMENT PLAN (LA IRWMP)**

On July 22, 2013, the City Council adopted the Los Angeles Gateway Region Integrated Regional Water Management Plan (Gateway IRWMP) in order to qualify for Prop 84 state grant funding. An Integrated Regional Water Management Plan (IRWMP) is a planning document based on a collaborative effort to manage all aspects of water resources in a region. An IRWMP uses technical studies on groundwater and water quality, storm water and flooding, and water supply and demand for the Region. Those studies identify the location and extent of groundwater and flooding issues, suggests additional monitoring, recommends Best Management Practices (BMPs) for storm water issues and confirms that the Region's water supply is adequate through 2030. Earlier this year, the GWMA Board of Directors approved joining the Greater Los Angeles County Integrated Regional Water Management (GLAC IRWM) process for the final round of funding from Prop 84. The City of Bell Gardens will be part of a regional project for the planning and design of extending a mile of pipeline to deliver recycled water to Veterans Park. Since GWMA is participating through the GLAC IRWM "process", it is necessary to adopt the GLAC IRWM "Plan". It is a lengthy document which provides goals and objectives for the entire region as well as its 5 sub-regions including Lower LA.

**Recommendation:** It is staff's recommended that the City Council adopt Resolution No. 2015-51, approving the Los Angeles Gateway Region Integrated Regional Water Management Plan (Gateway IRWMP).

10. **BALL FIELD WARRANTY EXTENSION FOR BELL GARDENS SPORTS CENTER**

Since its opening, the Bell Gardens Sports Center has been utilized by the community from morning to late evenings virtually un-interrupted. This includes over 4,000 hours per year of illuminated ball fields. This convenience has been made possible because the city's wise decision to include a ten year warranty when the light towers were purchased and installed from Musco Lighting in 2005. During the first ten (10) years under warranty Musco made seventeen (17) visits to the facility consisting of maintenance and repairs, which would have resulted in almost \$50,000 in costs. However, the city was not responsible for any fees as it was covered by the all-inclusive warranty. Bell Gardens Municipal Code Section 3.04.100(A) authorizes the City to dispense with the City's formal purchasing procedures where the goods or services are unique and available only from one source and bidding would likely not result in savings. Purchasing the extended warranty from Musco Lighting will eliminate 100% of the maintenance costs for the next ten (10) years, including labor and materials. Considering the costs of maintenance and repairs of the first ten years and the ten years the system currently has, the city is expected to save at least \$15,000 by purchasing the extended warranty for \$35,000. Keeping the warranty under the manufacturer is ideal, the City will be assured the system will be kept up to the highest expectations to continue giving the Sports Center lighting many years of operation.

**Recommendation:** It is staff's recommended that the City Council adopt Resolution No. 2015-52, approving the purchase of a ten (10) year warranty extension to the ball field lights at the Bell Gardens Sports Center from Musco Lighting.

**11. AB 1234 CONFERENCE REPORTS**

Pursuant to the requirements of Assembly Bill 1234 a report is required by any elected official attending a conference or seminar at the City's expense.

**Recommendation:** It is staff's recommendation that the City Council receive and file AB 1234 Conference Reports for:

- The Inauguration of Assemblymember Garcia held November 31-December 2, 2014 submitted by Mayor Pro Tem Flores, Councilmember Aceituno, and Councilmember Rodriguez.
- The WELL Conference held March 5-6, 2015 submitted by Mayor Rodriguez, Councilmember Flores, and Councilmember Pulido.
- California Contract Cities Association (CCCA) Municipal Seminar held May 14-17, 2015 submitted by Mayor Rodriguez, Mayor Pro Tem Aceituno, Councilmember Flores, Councilmember Mendoza, and Councilmember Pulido.
- International Council of Shopping Centers (ICSC) RECON Convention held May 18-20, 2015 submitted by Councilmember Pulido.
- National Association of Latino Elected Officials (NALEO), June 17-19, 2015 submitted by Mayor Pro Tem Aceituno.
- Independent Cities Association (ICA) Summer Seminar held July 9-12, 2015 submitted by Mayor Rodriguez, Mayor Pro Tem Aceituno, Councilmember Flores, Councilmember Mendoza, and Councilmember Pulido.

**12. 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. 13)**

**13. COMMERCIAL SOLID WASTE FRANCHISE AGREEMENT**

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 expired on June 30, 2015. These 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



Staff brought this item for City Council consideration on June 8, 2015 and was directed to provide more background information on two new commercial haulers: Commercial Waste Services and Republic Services. These new firms have submitted new applications. They currently do not operate in the City but, if approved, will be submitting all fees, documentation, insurance and bond requirements.

**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.

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

**(Three minutes per person, subject to a total period of 30 minutes)**

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## **CITY COUNCIL MEMBER COMMENTS**

## **ADJOURNMENT**