

Due to Executive Order N-25-20 Members of the Council may Teleconference into this meeting



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, JUNE 8, 2020, 5:00 P.M.
MINUTES**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electrically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that member of the Bell Gardens City Council will participate in meeting telephonically. The public may view the meeting online. The Council Chamber is closed to the public at this time.

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 Jane Halstead, City Clerk by telephone at 562-806-7705 or via email to CityClerkDesk@bellgardens.org no later than (1) hour before the scheduled meeting.

CALL TO ORDER – Mayor Cortez called the meeting to order at 5:02 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Council Members Aceituno and Barcena participated via teleconference; Mayor Pro Tem Flores and Mayor Cortez were present in the Council Chamber.

Absent: None

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Mayor Cortez opened the public comment period at 5:03 p.m. There were no speakers. Mayor Cortez closed the public comment period at 5:03 p.m. City Attorney Rick Olivarez announce that the City Council would recess to discuss the two items listed on closed session the agenda. The Council recessed to the Council Conference Room at 5:04 p.m.

CLOSED SESSION: (Item No. 1-2)

1. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6.

City-designated representative: Michael B. O'Kelly, City Manager; Will Kaholokula, Director of Finance and Administrative Services

Employee Organization: City Employees Association, Public Works Employees Association, Police Officers Association, Public Works Supervisors Association, and Police Management Association

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)- City of Bell Gardens vs. Bell Gardens Hospitality, Case No. 20STCV15440.

Closed Session adjourned at 5:35 p.m.

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CALL TO ORDER – Mayor Cortez called the meeting to order at 6:08 p.m.

PLEDGE OF ALLEGIANCE – was led by Hailes Soto, Senior Management Analyst.

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Council Members Aceituno and Barcena participated via teleconference; Mayor Pro Tem Flores and Mayor Cortez were present in the Council Chamber.

Absent: None

CLOSED SESSION REPORT

City Attorney Rick R. Olivarez stated that the City Council met in closed session to discuss Items No. 1-2 as posted on the closed session agenda. He stated that with respect to Items No. 1-2, the City Council received briefings from the City Attorney, staff direction was given, with no final action taken.

PUBLIC HEARING

1. AMENDMENTS TO FISCAL YEARS 19-20 & 20-21 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS TO ALLOCATE CDBG-CV (CORONAVIRUS) FUNDS

Staff is seeking to amend the CDBG Budgets for Fiscal Years (FY) 2019-2020 & 2020-2021 in order to allocate newly introduced funds from the Coronavirus Aid, Relief and Economic Security Act ("CARES Act") for the purpose of administering four programs to assist local residents and businesses.

Recommendation:

It is staff's recommendation that the City Council conduct a public hearing on the proposed amendments to the FY 2019-2020 and FY 2020-2021 Community Development Block Grant ("CDBG") Programs in order to allocate supplemental funds from the Coronavirus Aid, Relief and Economic Security Act ("CARES Act"), and upon consideration of public testimony and discussion of relevant issues, approve the proposed budget by adopting the attached Resolution.

City Manager, Michael O'Kelly introduced the item. He stated this item is for amendments to the Fiscal Year 19-20 and Fiscal Year 20-21 Community Development Block Grant Program (CDBG) specifically to allocate CDBG Corona virus funds. He stated that the City received \$374,000 in CDBG COVID funds in addition there were about \$248,000 of unallocated CDBG funds. He stated that staff has recommended that due to the impact of COVID virus to combine the funds in an attempt to spread the wealth among the community by dividing into categories to assist with resident and community needs. The proposed allocation would include small non-essential business assistant grant; residential rental assistant grant; child care subsidy and emergency utility assistant grant.

Mayor Cortez opened the public hearing at 6:12 p.m. Being there were no public comments, the Mayor closed the public hearing at 6:12 p.m.

Mayor Cortez moved to Council Member comments. No comments were made.

A motion was made by Mayor Cortez, and seconded by Council Member Aceituno, to approve the proposed budget and adopt Resolution No. 2020-37.

The motion carried 4-0 with the following vote.

AYES:	Council Members Aceituno, Barcena; Mayor Pro Tem Flores, Mayor Cortez
NOES:	None
ABSENT:	None
ABSTAIN:	None

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Mayor Cortez opened the Public Comment period at 6:14 p.m.

Jane Halstead, City Clerk called the speakers that requested to speak during the Public Comment period.

- Michelle Ceballos, Community Organizer for California Latinas for Reproductive Justice, made comments regarding the eviction moratorium and renter rights during COVID -19 crisis. She expressed her concerns regarding the proposed budget and a contract the City has with Immigration and Customs Enforcement.
- Guadalupe Zarate commented regarding rent control, Immigration and Customs Enforcement and speeding on Foster Bridge Blvd and Suva St. She stated two accidents that occurred near that intersection that resulted in injuries.
- Sandra Garcia commented on rent control, unfair evictions, closure of pool, and the Police Departments contract with Immigration and Customs Enforcement.
- Lucia Veloz commented on rent control, the parks facilities, and the City's budget.
- Joanna Venegas, 20-year resident, made comments regarding rent control, evictions, and the contract with Immigration and Customs Enforcement.
- Jasmin Gonzalez commented on her assistance with campaigning and continued to comment on rent cap not being approved last year. She also commented on Police Department contract between Immigration and Customs Enforcement.
- Angela Crompton made comments regarding her concerns with the lack of parking on Gotham Street. She also commented on the Police Department's policies and procedures for misconduct.
- Laura Pineda had comments regarding rent control, rent assistance, and police department budget. She also commented on the contract with Immigration and Customs Enforcement.
- Cesar Huesca commented on the lack of parking within the City and rent control.
- Christopher Leon made comments in regards to the City's budget, allocating funds, and T-marking pilot program.
- Jocelyn Del Real made comments regarding the City's budget and money allocation.

Members of the public were able to submit comments via email. Mayor Cortez read out loud comments made by the following individuals.

- Jessica Prieto made comments on rent control, evictions, and the COVID-19 pandemic.

- Nancy Morales commented on rent control and Immigration and Customs Enforcement
- Peter Becerra commented in regard to the Eviction moratorium and the contract between Police Department and Immigration and Customs Enforcement.
- Desire Figueroa, resident of Bell Gardens, made comments on the Eviction Moratorium and Immigration and Customs Enforcement.
- Gregory Tomas, made comments in regards to the Eviction Moratorium, tenant protection, and Immigration and Customs Enforcement.

Mayor Cortez closed public comments at 7:01 p.m. as there were no other comments submitted.

CITY MANAGER'S REPORT

City Manager Michael O'Kelly reported that COVID-19 restrictions had started to ease and the last patients at the Quality Inn had moved out last week. He is looking forward to the re-opening of the Bicycle Casino along with other businesses that are hurting; subject to following all the required standards as the County starts to re-open. He also stated the Recreation & Community Services department had provided 30,000 supper meals to City residents. The senior meal program has increased enrollment during the COVID-19 pandemic. Mr. O'Kelly acknowledged the passing of George Floyd on May 25th which had impacted many people.

CONSENT CALENDAR (Items No. 2-15)

Mayor Cortez clarified Item No. 8 was pulled for further discussion.

City Attorney, Rick Olivarez stated that there are two law firms presented for consideration. He stated that it was his recommendation to pull one agreement, which is between the City of Bell Gardens and Atkinson, Andelson, Loya, Ruud & Romo. He stated their services are not needed at this time and if at some point their services are needed they would be put it back on the agenda for City Council consideration.

City Attorney Olivarez also stated that the City of Bell Gardens and the City of Bell Gardens Police Department had nothing to do with the raids being conducted by ICE. He stated that the raids occur by order of the federal government. He stated the Council is for keeping families together.

A motion was made by Mayor Cortez, and seconded by Council Member Barcena, to amend item no. 8 by pulling a contract with Atkinson, Andelson, Loya, Ruud & Romo and approve the consent calendar Items No. 2-15 with the exception of Item no. 6. Mayor Pro

Tem voted No on Item No. 6 and requested the minutes be revised and asked that the minutes be done verbatim for her.

The motion carried 4-0 with the following vote.

AYES: Council Members Aceituno, Barcena; Mayor Pro Tem Flores, Mayor Cortez
NOES: None
ABSENT: None
ABSTAIN: None

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 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. 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 recommendation that the City Council receive and file the warrant registers, wire transfers, and net payrolls dated 04/23/20, 4/28/20, 05/05/20, 05/07/20, 05/12/20 and 05/19/20.

4. CLAIM REJECTION

A claim was filed with the City. Staff directed the claim 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 claim.

Recommendation:

It is staff recommendation that the City Council reject the following claim:

- Guadalupe Ortiz v. City of Bell Gardens (DOE 12/17/19; DOR 05/26/20)

The City's general liability claims administrator, Carl Warren & Company, has recommended that this claim be rejected. The claimant, subject to certain exceptions, shall have up to six months to file a court action subsequent to the City Council's rejection. The claimant will be notified of the City's action.

5. MARCH 2020 TREASURER'S REPORT

The Treasurer's Report is a list of cash and investments held by the City.

Recommendation:

It is staff recommendation that the City Council receive, approve, and file the March 31, 2020, Treasurer's Report.

6. APPROVE MINUTES OF THE MAY 11, 2020 CITY COUNCIL CLOSED SESSION AND REGULAR MEETING

May 11, 2020 – Closed Session and Regular City Council Meeting Minutes

Recommendation:

It is staff recommendation that the City Council approve the attached minutes.

Mayor Pro Tem Flores voted no for Item No. 6. The motion carried 3-1 with the following vote.

AYES: Council Members Aceituno, Barcena; Mayor Cortez
NOES: Mayor Pro Tem Flores
ABSENT: None
ABSTAIN: None

7. RECERTIFICATION AND EXTENSION OF THE 2015 SUPPLEMENT SPEED SURVEY FOR RADAR SPEED ENFORCEMENT TO 2025

In 2015, the City Council approved Ordinance No. 872 adopting the 2015 Supplemental Speed Survey for radar speed enforcement. The survey for speed limits is regularly conducted every five years for the purpose of complying with the California Vehicle Code. The City's Traffic Engineer inspected the 26 segments and certifies that no significant changes in the roadway and traffic conditions have occurred. This certification allows the City of Bell Gardens to extend the 2015 Supplemental Speed Survey report to October 2025.

Recommendation:

It is staff's recommendation that the City Council by motion waive the second reading and adopt Ordinance No. 907 entitled "An Ordinance of the City of Bell Gardens adopting the Recertification of the 2015 Supplemental Speed Survey and Affirming the Accuracy of the City's Posted Speed Limits".

8. AGREEMENT FOR LEGAL SERVICES WITH THE LAW FIRMS OF ATKINSON, ANDELSON, LOYA, RUUD, & ROMO, AND LIEBERT CASSIDY WHITMORE

Agree for legal services agreement with the law firms of Atkinson, Andelson, Loya, Ruud & Romo, and, Liebert Cassidy Whitmore. These firms are needed to

address specialized public employment and labor relations issues that fall outside the purview of the City Attorney's office.

Recommendation:

It is staff's recommendation that the City Council approve a resolution, authorizing the City Manager to enter into an agreement for legal services with the law firms of Atkinson, Andelson, Loya, Ruud & Romo, and, Liebert Cassidy Whitmore.

9. APPROVAL OF A THREE-YEAR AUDIT SERVICES AGREEMENT WITH GRUBER AND ASSOCIATES, INC. WITH AN OPTION OF TWO ONE-YEAR EXTENSIONS

Agreement for professional audit services with Gruber and Associates, Inc. Annually, the City's financial information is audited by an independent audit firm who provides an opinion on the City's financial statements as fairly stated or fairly stated with a qualification. Gruber and Associates, Inc. was the lowest bidding qualified firm of Certified Public Accountants.

Recommendation:

It is staff's recommendation that the City Council approve the attached Resolution, approving an agreement with Gruber and Associates Inc. to perform the City's annual independent audit and related services for Fiscal Years 2019-20 through 2021-22 with an option of two one-year extensions.

10. BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE

California Government Code Section 87306.5 requires that local governments conduct a review of their Conflict of Interest Codes every two years. The City's Conflict of Interest Code determines which City officials and employee positions must file the Fair Political Practices Commission Statement of Economic Interest Form 700.

Recommendation:

It is staff's recommendation that the City Council by motion direct staff to conduct the biennial review of the City's Conflict of Interest Code and submit any proposed amendments no later than October 1, 2020, pursuant to Government Code Section 87306.5.

11. REQUEST FOR CITY COUNCIL APPROVAL FOR TRANSFER OF POINT HOLDER INTEREST

Two limited partner point holders in the Bicycle Casino are requesting transfer of points.

Recommendation:

It is staff's recommendation that the City Council by motion approve the transfer of interest between existing partners and adopt the attached Resolution (Exhibit 1).

12. ADOPTION OF RESOLUTIONM APPROVING SUBMITTAL OF APPLICATION FOR THE LOCAL EARLY ACTION PLAN GRANT (LEAP)

In order to apply for the LEAP Grant, a resolution approved by the City must be submitted as part of the application packet. The LEAP Grant can provide funding

for 1. The preparation and adoption of planning documents, 2. Processing improvements that accelerate housing production, and 3. Facilitating compliance in implementing the sixth cycle of the Regional Housing Needs Assessment.

Recommendation:

It is staff's recommendation that the City Council adopt the attached resolution authorizing the application for, and receipt of, Local Government Planning Support Grant Program Funds, otherwise known as the "Local Early Action Planning (LEAP) Grant", to the California Department of Housing and Community Development (HUD) in the amount of \$150,000.

13. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COOPERATION AGREEMENT FOR FISCAL YEARS 2021-2023

The City of Bell Gardens is part of the Los Angeles County Community Development Block Grant (CDBG) Program. In order to continue receiving CDBG funds, the City must agree to a three-year Cooperation Agreement by adopting a resolution approving a new Agreement for Fiscal Years 2021-2023 with the Los Angeles County Development Authority. The City's current Agreement will expire on June 30, 2021.

Recommendation:

It is staff's recommendation that the City Council adopt the attached resolution approving the Participating City Cooperation Agreement between the City of Bell Gardens and the County of Los Angeles for the Community Development Block Grant (CDBG) Program for FY 2021-2023.

14. APPROVING AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KOA CORPORATION FOR PLANNING AND DESIGN SERVICES FOR THE CIRCULATION AND TRANSPORTATION ELEMENT UPDATE

The City of Bell Gardens submitted a grant application for the FY 2019-2020 Caltrans Transportation Planning Grant Program under the Sustainable Communities category requesting funds to update the General Plan's Circulation and Transportation Element ("Element"). The City was awarded the grant and subsequently released a RFP seeking professional services to develop this Element. Two (2) proposal were received and scored. Based on the evaluation criteria and experience, staff is recommending the award to KOA Corporation for the development of the Planning and Design Services for the Circulation and Transportation Element Update.

Recommendation:

It is staff's recommendation that the City Council by motion;
Adopt the attached Resolution approving a Professional Services Agreement with KOA Corporation to provide the planning and design services for the preparation of a comprehensive update to the General Plan's Circulation and Transportation Element.

15. NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION RESOLUTIONS CALLING FOR ELECTION, REQUESTING CONSOLIDATION SERVICES

**WITH LOS ANGELES COUNTY AND ADOPTING REGULATIONS FOR
CANDIDATE STATEMENTS**

The next General Municipal Election is scheduled for November 3, 2020 for the election of two (2) Council Members. In order to proceed with the election, the City must adopt resolutions calling the election, requesting consolidation with the county and establishing regulations for candidate statements. The estimated costs for consolidation services with Los Angeles County will be in the range of \$80,000 to \$100,000.

Recommendation:

It is staff recommendation that the City Council adopt the following:

1. Resolution No. 2020-44, calling for the holding of a General Municipal Election to be held on Tuesday, November 3, 2020;
2. Resolution No. 2020-45, requesting election consolidation with the Los Angeles County Board of Supervisors;
3. Resolution No. 2020-46, adopting regulations for candidate statements submitted to voters on Tuesday, November 3, 2020.

DISCUSSION (Items No. 16-17)

City Attorney Rick Olivarez announced that there are two Councilmembers that live within the vicinity of the project. Councilmember Aceituno and Councilmember Barcena both live within the vicinity of the project who are potentially conflicted out of Discussion Item No. 16 given the proximity of their residences to the project. He stated given that there only have 4 councilmembers, if both Councilmembers recuse themselves, they would lose their quorum and would be unable to take up the matter. The rule of necessity allows an otherwise conflicted Councilmember to participate in a vote when necessary. To accomplish this, they selected which potentially disqualified councilmember will participate by a random flipping of a coin. Council Member Aceituno was "heads" and Council Member Barcena was "tails."

City Manager Michael O'Kelly volunteered to flip the coin and the outcome was "heads." Council Member Aceituno will participate and deliberate in the meeting and Council Member Barcena will leave the room and not participate in the meeting.

Council Member Barcena left the meeting.

**16. QUINN STREET ON-STREET PARKING SPACE MARKINGS ("T"
MARKINGS) FROM EASTERN AVENUE TO GARFIELD AVENUE**

Staff was directed by City Council to evaluate T-markings as a result of the parking study presented on December 9, 2019. Quinn Street from Eastern Avenue to Garfield Avenue has been identified as a priority street based on its high density of parking. The number of available parking spaces is 133 on this segment of Quinn Street. If approved, installing "T" markings will result in a net loss of 27 parking spaces for residents.

Recommendation:

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

1. Review and discuss Quinn Street Parking "T" Plan showing reduction in available parking spaces;
2. If moving forward with the installation of Parking "T" Plan on Quinn Street, approve the City's Utilization of an eighteen (18) foot parking space size to maximize parking spaces.
3. If approved, appropriate \$22,000 of general funds for this project.

City Manager, Michael O'Kelly introduced the item. He stated that this item was a result regarding a conversation that took place in December 2019 to conduct a study on "T-markings" that had the potential to better manage on-street parking on Quinn Street between Eastern Avenue and Garfield Avenue. Studies showed that with "T-markings" in place, it results in a reduction of 27 parking spaces.

City Engineer, Doug Benash gave a PowerPoint presentation explaining that the study was conducted on Quinn Street for parking spaces separated by "T-markings". With the space needed, it would result in a net loss of 27 spaces of parking. He stated if Council decides to move forward with the project, construction plans are ready.

Director of Public Works, Chau Vu suggested an outreach program to notify the residents that would be impacted on these streets. She explained that there are procedures similar to speed humps that can be followed to notify residents who front the streets. She stated they can send a mailer or place a notice on their front door, circulate a petition and set up an evening community meeting to ensure they have 51% of the signatures in support of these markings.

Mayor Pro Tem Flores suggested to proceed with the program and give notice that are proceeding with the request for "T-markings".

Council Member Aceituno expressed his concerns on the cost of launching this program and possibly coming back a later to rectify this program.

Mayor Cortez stated she would like to see community outreach to see how they respond prior to any action. She also asked for clarification on the process of a petition and speed humps be placed on a different agenda.

A motion was made by Mayor Pro Tem Flores to move forward with the program. Motion died due to a lack of a second.

A motion was made by Mayor Cortez, and seconded by Council Member Aceituno, to bring back the item to a future City Council Meeting to bring this item back and proceed with the outreach on Quinn Street.

The motion carried 3-0 with the following vote.

AYES: Council Members Aceituno; Mayor Pro Tem Flores, Mayor Cortez
NOES: None
ABSENT: None
ABSTAIN: Council Member Barcena

Council Member Barcena returned to the meeting at 7:35 p.m.

17. COUNTY OF LOS ANGELES EVICTION MORATORIUM, STATE OF CALIFORNIA RENT CONTROL AND CANCELED DEPARTMENT OF HOMELAND SECURITY GRANT

There has been recent community interest to discuss the countywide eviction moratorium, the statewide rent control measures, and the Department of Homeland Security grant.

Recommendation:

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

City Manager, Michael O'Kelly introduced the item. He stated the City doesn't have a judicial process set up and falls under the Tenant Protections Act the residents are covered under a rent control ordinance. He stated the residents are under a broad umbrella of the state's rent control. He stated County's moratorium has a 12 month payback period.

City Manager also discussed that about a year ago a Memorandum of Understanding between the Homeland Security and the City of Bell Gardens was not for deportation. Its purpose was to cooperate for suppression of criminal street gangs that could be operating in Bell Gardens, and to cover overtime that could've potentially been reimbursed to the City. The stated the City actually didn't do work on the program so Chief Fairfield chose to withdraw from MOU due to confusion and concerns from residents on the matter.

Council Member Barcena thanked the City Manager for putting this item on the agenda and expressed his understanding to the residents' concerns on deportation. He stated he opposes to any involvement with ICE and supports the immigrant community.

Mayor Pro Tem Flores asked on behalf of the residents in any information was ever given to the Homeland Security through the contract that was signed through the City.

Chief Fairfield stated no information was released and the contract was not for any deportation. He said it was to receive funding for the investigation of violent street gangs since they could go on for years and could be costly. He stated it was done to protect the community not to deport the community. He said they were able to solve the case before they had to reach out to ICE on this contract. He stated they never utilized any funds or reached out to ICE on that contract. He stated due to the fact that they didn't need to reach out to them and the concerns the residents had he wrote a letter cancelling the contract.

Mayor Cortez stated Council stands for their immigrant community and they will never support any deportation or activity in their City. She stated they will think long and hard before they approve any contracts with the Homeland Security because of the fear perpetuated in the community.

Mayor Pro Tem Flores asked if the City can establish their own eviction moratorium or provide resources on the next agenda.

A motion was made by Mayor Cortez, and seconded by Mayor Pro Tem Flores, to approve the item to receive and file the report.

The motion carried 4-0 with the following vote.

AYES: Council Members Aceituno, Barcena; Mayor Pro Tem Flores, Mayor Cortez
NOES: None
ABSENT: None
ABSTAIN: None

18. PROPOSED FISCAL YEAR 2020-2021 BUDGET

Staff is presenting, as a study session, to City Council the proposed annual budget for FY 2020-21 for the City Council's review and feedback.

Recommendation:

Staff recommends that the City Council receive and file the proposed budget. Staff also recommends the City Council provide direction to staff on the proposed budget.

City Manager, Michael O'Kelly introduced the item and called on Finance Director, Will Kaholokula to give a PowerPoint presentation.

Director of Finance and Admin. Services, Will Kaholokula gave a PowerPoint presentation regarding the proposed Fiscal Year 2020-2021 Budget introducing the projected loss of revenue and funds due to the temporary closure of the Bicycle Casino during the Covid-19 pandemic for the remainder of the FY 19-20 budget as well as the following Fiscal Year's budget. The expected deficit for FY 20-21 is at \$2,856,000.

General Fund Budget FY 2020-2021 Revenue and Expenditures Budget modifications:
Revenue

1. Sales Tax Measure passes in November – may be \$500k
2. Program advance repayments from CIP Fund to General Fund - \$820k
3. Fee Study Adjustments - \$225k
4. CARES money - \$550k

Expenditures

1. Temporarily defund multiple positions - \$780k
2. Fund 75% of Code Enforcement positions with CDBG funds - \$168k

3. Reduced recreation and community services programming - \$624k
4. Additional city-wide expenditure cuts - \$422k

Finance Director, Will Kaholokula went into detail on the Revenue and Expenditure summary, hi-lighting the Casino Revenues from 2009-2021 (projected). General Fund Expenditures are lower by \$946,000; personnel services and contractual services make up 93% of the budget. The top three costs expenditures are personnel services are: salaries, CalPers Retirement and health benefits. The expenditures increases and decreases were explained in detail. The Capital Improvement Projects were also reviewed. For fiscal 2020-2021, the proposed expenditures for all thirty-two City funds is \$48,580,000.

Some of the fiscal challenges and trends include:

1. General Fund Deficit:
Sales Tax Measure will be on the November 2020 ballot; fees are being examined; labor negotiations are in process and assigned fund balance has been built up.
2. Volatility of Casino revenue
Sales tax measure is on the November 2020 ballot.
Fees charged by the City are being reviewed.
Assigned fund balance has been built up.
3. Retiree Healthcare Liability
Considering changes to retired healthcare benefits
Trust account to fund the liability has been established
Funding source still needs to be identified
4. Capital Replacement
Capital Replacement Fund has been set up with a determined fund source
Fiscal Year 2020-2021 funding programmed in the General Fund.
5. Water Utility Deficit
Projected Loss FY 2019-20 - \$900k
Projected loss FY 2020-21 - \$647k
Owed to the General Fund @ June 30, 2021 - \$4,051,000.

Director Kaholokula concluded that a water rate study was in process and the lease of water rights is out for bid. The General Fund budget deficit of \$2,856,000; General Fund revenues are lower by \$3,842,000 due to COVID-19 which has impacted casino revenues, sales tax and hotel taxes; some of the steps that will be used to reduce the deficit will include identifying additional resources and not funding certain full-time positions. The other challenges the City faces is the water utility deficit and the Retiree Healthcare. All City funds have a total proposed budget of \$48,580,000.

Council Member Barcena inquired what the percentage of the Police Department part of the budget. Also asked if the three officer position defunded and how long the city had the vacancies.

Chief Fairfield stated that the three vacancies have been vacant throughout the year and due to the uncertainty of the budget still remain vacant.

Director Kaholokula responded to Council Member Barcena confirming that the Police Department portion of the budget is 50% of the General Fund.

Council Member Barcena acknowledged the opportunity for the Police Department to make sure that they are doing things that benefits the residents and giving the best services. Thanked staff for doing a great job.

Mayor Pro Tem Flores thanked staff for the presentation on the budget. She inquired if the budget for the Police Department was 50% was for the current year and the previous year? Director Kaholokula confirmed that it was 50% for the current fiscal year and for the previous fiscal year an estimate of 50%.

Mayor Pro Tem Flores acknowledge that there were recreational programs that were defunded due to the COVID-19. Suggested restructuring the budget and suggested coming back to Council.

Mayor Pro Tem Flores recommended that the budget be tabled and it come back with a restructured budget.

Mayor Cortez thanked the City Manager for taking the time for the budget meeting. She looked forward to seeing the budget in the future.

A motion was made by Mayor Cortez, and seconded by Council Member Aceituno, to receive and file the report.

The motion carried 4-0 with the following vote.

AYES:	Council Members Aceituno, Barcena; Mayor Pro Tem Flores, Mayor Cortez
NOES:	None
ABSENT:	None
ABSTAIN:	None

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

The following public comments are on non-agenda items that were submitted via email, which were read by the Mayor Cortez.

Mayor Pro Tem Flores raised concerns regarding censorship.

Ericka Venegas made comments in regards to re-opening the skate park.

Max Nunez commented on date for re-opening the skate park.

Emmanuel Villegas commented on re-opening the skate park.

Hugo Bejarano commented on re-opening the skate park.

Diana Figueroa made comments in regards to re-opening the skate park

Antonio Soto made comments regarding the re-opening of the skate park.

Due to no other comments were submitted, Mayor Cortez closed public comments on non-agenda items.

CITY COUNCIL MEMBER COMMENTS

Council Member Aceituno thanked staff for working hard and thanked members of the public for their comments.

Council Member Barcena acknowledged racism issue; he promotes and acknowledges privileges, promotes education on racism; encouraged tolerance and understanding of others. He thanked all constituents that participated in the meeting; He stated that Black Lives Matter movement trying to do positive; thanked all constituents that called in and encouraged continued participation; acknowledged the skater population; encouraged his constituents to call him and his availability

Mayor Pro Tem Flores gave direction to the City Manager and Community Development Director, Gus Romo to add an item regarding an ordinance to assist restaurants so they can maintain their revenue; commended Al Saled, Mayor of Bell who is working with artist Tetris; Congratulated 2020 high school and college graduates;


Expressed concern for speaker's plight regarding a car crash into her home; requested a speed hump or stop sign be installed; Spoke as President of League of California Cities on public safety; addressing and condemning the murder of George Floyd; also condemning the murders of Ahmaud Aubrey and Breonna Taylor; Requested for management to include diversity in the City's next hire; and directed police staff to attend sensitivity training as funds permit; also to add an item to the agenda on reviewing policies on police practices and metrics and an addition to the agenda, police oversight committee; thanked the public and commended them for all the emails received; Commended the Police Officers Association who were the first to post on social media on the injustice of the murder of George Floyd.

Mayor Cortez thanked her colleagues for their comments on the senseless murders;

In agreement with Mayor Pro Tem Flores commending the Police Officers Association who were the first to post on social media on the injustice of the murder of George Floyd and all other senseless murders; Bell Gardens Police Department stands for good police work;

Thanked Community Services Director Rozanne Adanto for the 30,000 meals served; Thanked Hailes Soto for updating information, IT support; Public Works Director, Chau Vu, the Chief of Police; The Mayor thanked the City Manager for taking Council concerns throughout the week and weekend; and commended Finance & Administrative Services Director, Will Kaholokula for his continued work on the budget; Thanked Council Member Barcena and reiterated that "Black Lives do Matter." Thanked those that participated and support the Council.

ADJOURNMENT – Mayor Cortez adjourned the City Council meeting at 9:05 p.m.



Jane Halstead
City Clerk