



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, MARCH 11, 2019, 5:00 P.M.
MINUTES**

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) 806-7704. 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 – Mayor Cortez called the meeting to order at 5:00 p.m.

ROLL CALL OF CITY COUNCIL MEMBERS

Present: Council Members Aceituno, Barcena, Rodriguez; Mayor Pro Tem Flores;
Mayor Cortez

Absent: None

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Mayor Cortez opened the public comment period. There were no speakers. Mayor Cortez closed the public comment period and asked Interim City Attorney Rick R. Olivarez to announce the Closed Session items. Interim City Attorney Rick R. Olivarez announced that all members were present and would recess to discuss Items No. 1 through 5. The Council then recessed to the Council Conference Room (see page 2 of the City Council minutes for report on Closed Session) at 5:01 p.m. to discuss the following matters:

CLOSED SESSION

1. Conference with Legal Counsel and Real Estate Negotiator (Epic Land Solutions, Inc/Infrastructure Engineers)

Real Estate Negotiations regarding McDonald's Property located at 5725 Florence Avenue (APN 6328-015-055)

Pursuant to Government Code section 54956.8

2. Conference with Legal Counsel and Real Estate Negotiator (Epic Land Solutions, Inc/Infrastructure Engineers)

Real Estate Negotiations regarding Sherwood Property located at 7110 Eastern Avenue (APN 6328-015-044)

Pursuant to Government Code section 54956.8

3. Conference with Legal Counsel and Real Estate Negotiator (Epic Land Solutions, Inc/Infrastructure Engineers)

Real Estate Negotiations regarding former Toys R Us/Prime-frit Los Jardines Property located at 7100 Eastern Avenue (APN 6328-015-054)

Pursuant to Government Code section 54956.8

4. Conference with Legal Counsel - Public Employee Appointment

Pursuant to Government Code section 54957 Subdivisions (b)(1)

Title: City Manager

5. Conference with Labor Negotiators

Pursuant to Government Code section 54957.6.

City-designated representative: Christopher Daste, Will Kaholokula, Nicholas Razo

Employee Organization: City Employees Associations, Public Works Employees

Association, Police Officers Association, Police Management Association



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, MARCH 11, 2019, 6:00 P.M.
MINUTES**

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) 806-7704. 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 – Mayor Cortez called the meeting to order at 6:00 p.m.

INVOCATION – was led by Pastor Victor Solorzano.

PLEDGE OF ALLEGIANCE – was led by Girl Scout Brownie Troop #2543.

ROLL CALL OF CITY COUNCIL MEMBERS

Present:	Council Members Aceituno, Barcena, Rodriguez; Mayor Pro Tem Flores; Mayor Cortez
Absent:	None

CLOSED SESSION REPORT

Interim City Attorney Rick R. Olivarez stated that the City Council met in closed session to discuss items No. 1-5 as posted on the closed session agenda. He stated that with respect to Items No. 1-3, the City Council received an update from City staff regarding the projects, unanimous direction was given to the City's real estate negotiator and no final action was taken. He stated that with respect to Item #4, the City Council held a discussion, unanimous direction was given but no final action was taken. He stated that with respect to Item #5, the City Council received an update on labor negotiations between the City's designated representative and the employee organizations listed on the agenda.

PRESENTATIONS

- **Recognition of K-9 Baron and K-9 Officer Luis Isarraraz**
Chief of Police Scott Fairfield recognized K-9 Baron and K-9 Officer Luis Isarraraz for their accomplishments and hard work not only in this community but also statewide. Mayor Cortez presented Baron with gifts for his retirement.
- **BGHS Girls Wrestling Team Recognition**
Mayor Cortez recognized the Bell Gardens High School Girls Wrestling team and coaches for their successful season culminating in participation in the CIF Southern Section Girls Wrestling Finals. Wrestlers receiving certificates included Guadalupe Aguilar, Klarissa Bernal, Miya Galvan, Lisset Rivera, Jacquelynn Ochoa and Melany Rivera. Coaches receiving certificates included Daniel Navarro and Jerry Ramirez.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

mark! Lopez, Executive Director of East Yard Communities for Environmental Justice commented on Item No. 8. He read a letter from Vanessa Pineda, Bell Gardens resident, commenting on family stress due to rising rent. mark! also commented on his role on the Lower LA River Revitalization Plan and LA River Master Plan, with the goal of bringing reinvestment into the community and ensuring that current residents have a say in the future of their community. He asked the Council to not just focus on rent control but also just cause, no net loss and inclusionary zoning.

Jocelyn Del Real, resident and member of East Yard Communities for Environmental Justice, commented on 2017 census data showing that 77.8 percent of Bell Gardens households are renters, with eight out of ten being vulnerable for eviction. She asked the Council to consider a list of stabilization measures.

Laura Cortez, resident, member and Organizer for East Yard Communities for Environmental Justice, thanked the Council for beginning the conversation about rent control. She provided information packets to the Council and stated that residents are afraid to speak up in fear of retaliation.

CONSENT CALENDAR (Items No. 1-6)

A motion was made by Council Member Rodriguez, and seconded by Mayor Cortez, to approve Items No. 1-6.

The motion carried 5-0 with the following vote.

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

1. GENERAL MOTION TO WAIVE FULL READING AND APPROVE ORDINANCES BY TITLE ONLY PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 36934

In order to expedite the conduct of business at City Council meetings, California State Law (California Government Code Section 36934) allows Ordinances to be read by title if a majority of the legislative body supports the motion to waive the full reading.

Recommendation:

It is staff 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 OF THE FEBRUARY 11, 2019 CITY COUNCIL CLOSED SESSION AND REGULAR MEETING AND FEBRUARY 25, 2019 CLOSED SESSION AND REGULAR MEETING

February 11, 2019 - Closed Session Minutes
February 11, 2019 - Regular Meeting Minutes
February 25, 2019 - Closed Session Minutes
February 25, 2019 - Regular Meeting Minutes

Recommendation:

It is staff recommendation that the City Council approve the minutes of the City Council Closed Session of February 11, 2019, Regular City Council Meeting of February 11, 2019, City Council Closed Session of February 25, 2019, and Regular City Council Meeting of February 25, 2019.

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 02/12/19, 02/14/19, and 02/19/19.

4. JANUARY 2019 TREASURER'S REPORTS

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

Recommendation:

It is staff recommendation that the City Council receive, approve, and file the January 2019 Treasurer's Reports.

5. 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 and the claimant and/or their representative be notified:

- Francisca Garcia v. City of Bell Gardens (DOE 04/18/18; DOR 06/4/18)

The City's general liability claims administrator, Carl Warren & Company, recommends 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.

6. CONSIDERATION TO ADOPT MEMORANDA OF UNDERSTANDING WITH THE BELL GARDENS POLICE OFFICERS ASSOCIATION AND POLICE MANAGEMENT ASSOCIATION

For members of the Police Officers Association (POA) and Police Management Association (PMA), the City has tentatively agreed, subject to Council approval, to status quo and no cuts agreements on all economic issues. No economic terms will be affected from the previous 2016-2018 POA and PMA MOU. The POA and City management have tentatively agreed to update the language for the selection process of Senior Officers. Except for the term of the agreement, there are no changes to the PMA MOU.

Recommendation:

It is staff recommendation that the City Council, by motion, approve the attached resolutions adopting Memoranda of Understanding between the City of Bell Gardens and the Bell Gardens Police Officers Association and Police Management Association for the period July 1, 2018, through June 30, 2019.

DISCUSSION (Item No. 7)

7. BELL GARDENS COMMUNITY GARDEN UPDATE

This item provides information on the history of the Bell Gardens Community Garden as well as the yearly lease, and waitlist process.

Recommendation:

It is staff recommendation that the City Council receive and file this report regarding the Bell Gardens Community Garden lease and waitlist process.

Acting City Manager Chris Daste gave a brief introduction and Recreation Coordinator Ray Corona gave a PowerPoint presentation.

Council Member Rodriguez expressed concerns about residents using their garden plots for business.

Interim City Attorney Rick Olivarez stated that he could meet with Recreation Coordinator Corona to learn more about the project and how it works contractually and put a memo together for the Council, then agendize the item for a future date.

Council Member Barcena suggested creating a transparent waiting list in order to eliminate complaints from residents.

Council Member Rodriguez proposed adding an item to the next City Council Agenda regarding implementing a small garden at Veterans Park for the STAR Program to use. The Council had no objection to this request.

After discussion by the Council, a motion was made by Mayor Pro Tem Flores, and seconded by Council Member Barcena, to receive and file the report.

The motion carried 5-0 with the following vote.

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

STUDY SESSION (Item No. 8)

8. STUDY SESSION REGARDING RENT CONTROL

A request was received from Council Member Rodriguez regarding providing information about rent control to the City Council.

Recommendation:

It is staff recommendation that the City Council provide the City Attorney's Office with direction regarding potential development of a rent stabilization and dispute resolution ordinance and program.

Interim City Attorney Marc Tran gave a PowerPoint presentation.

After some discussion by the Council, Mayor Pro Tem Flores asked staff to research the possibility of applying for Governor Newsom's proposed Affordable Housing funds to pay for the administrative costs of implementing a rent control ordinance.

Council Member Rodriguez asked for more information about the pros and cons to rent control, why cities that had rent control eliminated it, how long cities have had rent control, and the benefits to the community. She called for the creation of an ad hoc committee consisting of two Council Members, two residents that rent, two residents that own, and two real estate professionals. Lastly, she called for a community meeting where all this information could be provided to residents.

A motion was made by Mayor Pro Tem Flores, and seconded by Council Member Rodriguez, to direct staff to bring back more information about the pros and cons to rent control, why cities that had rent control eliminated it, how long cities have had rent control, and the benefits to the community; direct staff to bring back an agenda item to the next Council meeting for the creation of an ad hoc committee; and to direct staff to plan a community meeting to provide all the gathered information to the residents.

The motion carried 5-0 with the following vote.

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

Mayor Pro tem Flores asked to amend the motion to include direction to staff to look for funding. There was no objection from Council and the motion was amended to include direction to staff to look for funding.

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

James Alamillo introduced himself as a 39-year resident of the City. He commented on the severity of parking problems in the City including handicap ramps being blocked by cars, motor homes parking overnight, cars double parking, and tractor trailers blocking cars view of crossing guards. He also asked about the proper protocol for addressing Council Members outside of Council meetings.

CITY COUNCIL MEMBER COMMENTS

Council Member Aceituno thanked the speakers who attended the meeting and addressed their concerns. He assured Mr. Alamillo that the Council would look into his concerns. He asked the Mayor to adjourn the meeting in honor of fallen officers including Sergeant Steve Hinkle, End of

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Watch February 26, 2019; Police Officer Nathan Hayden Heidelberg, End of Watch March 5, 2019; and Deputy Sheriff Jacob Howard Keltner, End of Watch March 7, 2019.

Council Member Rodriguez thanked Mr. Alamillo and assured him that Council is working on solving the parking problem in the City. She asked the public to call the Police Department and report any blocked curbs or illegal parking. She encouraged the public to freely address her outside of Council meetings, and stated that she represents residents so she is open to meeting with anyone and her contact information is public.

Council Member Barcena stated that the public can approach Council at any time and he hoped to hear from them. He commented on his own car being totaled due to parking problems and stated that the Council is working with the Police Department on trying to find a solution. He thanked Mr. Alamillo for his questions and stated that he is doing the best that he can to represent the residents.

Mayor Pro Tem Flores thanked everyone for attending the Council meeting. She thanked Mark! Lopez for his comments. She stated that Council is here to work with residents and she is excited to talk to residents. She thanked Laura for her comments and congratulated her on achieving Woman of the Year. Lastly, she proposed that the City Attorney put something together so that Council could implement a zero tolerance on speeding initiative in the City.

Council Member Barcena encouraged everyone to attend the Prop 68 Grant workshop at Ross Hall on March 12, 2019 at 6:00 p.m. and the Complete Streets Community Workshop on March 18, 2019 at 10:00 a.m. and 7:00 p.m.

Council Member Rodriguez asked the City Attorney to provide a presentation regarding the 2020 Census at a future Council meeting.

Interim City Attorney Rick Olivarez stated that he could have someone come to give a presentation to the Council. There was no objection from Council to add this item to a future agenda.

Mayor Cortez thanked everyone for attending the Council meeting. She congratulated Laura Cortez for achieving Woman of the Year. She thanked Jocelyn Del Real and Mark! Lopez for their comments and information provided. She encouraged the public to also communicate with the Council on social media.

ADJOURNMENT – Mayor Cortez adjourned the City Council meeting at 7:30 p.m. in memory of officers Steve Hinkle, Nathan Hayden Heidelberg, and Jacob Howard Keltner.



Kristina Santana
City Clerk