



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, FEBRUARY 25, 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 Items No. 1 and 2. The Council then recessed to the Council Conference Room (see page 2 of the City Council minutes for report on Closed Session) at 5:00 p.m. to discuss the following matters:

CLOSED SESSION

1. **Conference with Legal Counsel - Anticipated Exposure to Litigation**
Pursuant to Government Code section 54956.9
Subdivisions (d)(2) and (e)(5)
(two potential cases)
2. **Conference with Legal Counsel - Inquiry Regarding Whether to Initiate Litigation**
Pursuant to Government Code section 54956.9
Subdivision (d)(4)
(one potential case)



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CALL TO ORDER – Mayor Cortez called the meeting to order at 6:00 p.m.

INVOCATION – was led by Director of Finance and Administrative Services Will Kaholokula.

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 recessed to closed session with all members present for discussion of the items posted on the agenda. He stated that with respect to the first item, the Council received a report from legal counsel concerning a proposed settlement agreement, and on a 4-1 vote with Council Member Aceituno voting no, the City Council voted to approve the settlement. He stated that because the other party had not executed the settlement agreement, no final action was taken in closed session. He stated that with respect to the second item, the City Council received a report from legal counsel, unanimous direction was given but no final action was taken.

PRESENTATIONS

- **Recognition of K-9 Baron and K-9 Officer Luis Isarraraz**
This presentation was postponed to the next City Council meeting.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

No Comments.

CONSENT CALENDAR (Items No. 1-6)

Council Member Aceituno pulled Item No. 6 for further discussion.

A motion was made by Mayor Pro Tem Flores, and seconded by Mayor Cortez, to approve Items No. 1-5.

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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 JANUARY 14, 2019 CITY COUNCIL CLOSED SESSION MEETING AND JANUARY 28, 2019 CLOSED SESSION AND REGULAR CITY COUNCIL MEETING**

January 14, 2019 - Closed Session Minutes
January 28, 2019 - Closed Session Minutes
January 28, 2019 - Regular Meeting Minutes

Recommendation:

It is staff recommendation that the City Council approve the minutes of the City Council Closed Session of January 14, 2019, and the Closed and Regular City Council Meeting of January 28, 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 01/29/19, 01/31/19, and 02/05/19.

4. **APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR PLANNING CONSULTANT**

Adoption of a resolution approving a Professional Services Agreement with Linn & Associates to continue to provide contract planning services.

Recommendation:

It is staff recommendation that the City Council adopt Resolution No. 2019-10, approving a new Professional Services Agreement with Linn & Associates to provide planning services.

5. **POLICE DEPARTMENT TO PURCHASE EXISTING WARRANTY FOR CITY-WIDE CAMERA SYSTEM**

The Police Department would like to purchase an annual maintenance and warranty service plan for our current City wide surveillance camera system through CelPlan Technologies, Inc. ("CelPlan"). The new annual service plan will ensure the operational efficiency of the City wide camera system.

Recommendation:

It is staff recommendation that the City Council adopt Resolution No. 2019-11 thereby authorizing the Police Department to purchase an annual system maintenance and warranty service plan for its city-wide camera system for the period through 2019.

6. **APPROVAL OF CITY SPONSORSHIP OF LOCAL NON PROFIT ORGANIZATION**

Request from nonprofit organization Ferias Legales for (1) waiver of room rental fees or reduced room rental fees and (2) use of City logo for informational flyers.

Recommendation:

It is staff recommendation that the Council, by motion, (1) approve reduced room rental fees in a nominal amount and (2) approve the use of the City logo for workshop flyers.

Council Member Aceituno pulled this item for further discussion. He asked for clarification regarding why this item was on the agenda if the workshops were approved by the City Council at the last Council meeting.

Interim City Attorney Rick R. Olivarez stated that direction was given at the last Council meeting but because there are monetary expenditures involved he thought it was appropriate to bring the item back to the City Council for formal approval.

After further discussion by the Council, a motion was made by Council Member Rodriguez, and seconded by Council Member Barcena, to approve the reduced room rental fees in a nominal amount and to approve the use of the City logo for workshop flyers.

The motion carried 4-0-1 with the following vote.

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

DISCUSSION (Items No. 7-9)

7. **FY2018-19 MID-YEAR BUDGET REVIEW**

Mid-Year review of the City's FY2018-19 operating budget.

Recommendation:

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

Director of Finance & Administrative Will Kaholokula gave a PowerPoint presentation.

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

The motion carried 5-0 with the following vote.

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

8. PROPOSED ARTWORK FOR NEW TRANSIT BUSES

Staff is requesting that the City Council provide direction on which sample artwork will be installed on the new transit buses.

Recommendation:

It is staff recommendation that the City Council provide direction on which sample artwork will be installed on the new transit buses.

Director of Public Works Chau Vu gave a PowerPoint presentation.

After some discussion by the Council, Acting City Manager Chris Daste assured the Council that because there was not enough time to bring this item back to the Council, he would review the proofs and make sure they are in line with the direction from the City Council regarding incorporating pictures of more active seniors on the Dial-A-Ride bus.

After further discussion by the Council, Acting City Manager Chris Daste summarized their requests as: preferring option A with partial wrap; giving the Dial-A-Ride buses a blue background and giving the Trolley a red background; partial wrap to include City facilities and City activities; different looking wraps with three buses in the theme of the fixed route and two buses in the theme of the Dial-A-Ride

A motion was made by Council Member Rodriguez, and seconded by Council Member Barcena to move forward with what was articulated by the Acting City Manager.

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

9. SB 1383 – SHORT LIVED CLIMATE POLLUTANTS MANDATORY ORGANICS RECYCLING

In September 2016, the California State Legislature passed Senate Bill 1383 (SB 1383), establishing statewide methane emissions reduction targets to achieve a 50% reduction in the level of organic waste disposed from the 2014 level by 2020, and a 75% reduction by 2025. Additionally, SB 1383 sets a statewide target of a 20% reduction in disposed edible food.

Recommendation:

It is staff recommendation that the City Council receive and file this report regarding an 1383.

Director of Public Works Chau Vu introduced the City's Solid Waste Consultant Debbie Morris who gave a PowerPoint presentation.

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After discussion by the Council, a motion was made by Council Member Rodriguez, and seconded by Mayor Pro Tem Flores, 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

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

Laura Cortez commented on various energy systems and stated that natural gas is not a sustainable energy solution.

Andrew Leon asked the Council for information about the event they held on January 6, 2019.

Mayor Cortez stated that the public comment period is a one way communication and the Council could not respond at this time.

Andrew Leon continued to ask for the information regarding the January 6, 2019 event.

Interim City Attorney Rick R. Olivarez advised Mr. Leon to submit a Public Records Act Request for any requested records.

CITY COUNCIL MEMBER COMMENTS

Council Member Aceituno thanked those who spoke at the meeting. He stated that he would like to know if the City sponsored the event on January 6, 2019, if the City spent any funds, and if a permit was paid for the use of the event space, and asked if he must provide a written Public Records Act Request to the City Clerk's Office.

Interim City Attorney Rick R. Olivarez stated that he would work with the City Clerk's Office to provide the records to Council Member Aceituno.

Council Member Aceituno asked to adjourn the meeting in honor of Detective Brian Simonsen End of Watch February 12, 2019, Agent Alfred Zanyet-Perez End of Watch February 15, 2019, Undersheriff Monty Johnson End of Watch February 21, 2019, Police Officer Nicholas Galinger End of Watch February 24, 2019.

Council Member Rodriguez commented on the event hosted by the new Council Members. She stated that since 2003 the City Council has hosted many events using City facilities but there has never been a set policy or procedure for this practice. She asked that the Interim City Attorney prepare a policy regarding the Council's use of City facilities and bring it to the Council for their approval. She commented on the new Council Members working to help the community.

Mayor Pro Tem Flores thanked everyone for attending the Council meeting. She commented on needing to move past the tough campaign season. She commented on the event the new Council

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Members hosted and the positive impact it had on residents. Lastly, she stated that the Council serves at the pleasure of the residents and they are there for them.

Mayor Cortez thanked Council for their comments, thanked staff for their presentations, thanked Laura Cortez for her comments, and wished everyone a great evening and a great week.

ADJOURNMENT – Mayor Cortez adjourned the City Council meeting at 7:06 p.m. memory of fallen officers Brian Simonsen, Alfred Zanyet-Perez, Monty Johnson, and Nicholas Galinger.



Kristina Santana
City Clerk