

MINUTES OF THE

Bell City Council/Bell Community Housing Authority/Successor Agency to the Bell Community Redevelopment Agency/ Bell Public Finance Authority

December 5, 2012

5:00 P.M. Closed Session
7:00 P.M. Regular Meeting

Bell Community Center
6250 Pine Avenue

Call to Order by Mayor Saleh at [5:14 PM](#).

Roll Call of the City Council in their capacities as Councilmembers/Members of all Related Agencies: Harber, Quintana, Valencia, Alvarez, and Saleh

Present: Harber, Alvarez and Saleh (3)

Absent: **Councilmember Quintana and Councilmember Valencia (2)

Staff: City Manager Willmore, City Attorney Aleshire, City Clerk Valdez, Chief Miranda, City Engineer Rodrigue, Community Development Director Perez, Community Services Director Wasserman, Accounts Clerk Perez, Accounts Clerk Gamez, Accounts Clerk Larios, Captain Finkelstein, Captain Henshaw, City Treasurer Gutierrez, Senior Management Analyst Prado, Sergeant Jimenez. (15)

*Councilmember Quintana arrived at 5:15 PM and Councilmember Valencia arrived at 5:20 PM.

Communications from the Public on Closed Session Items

The following member from the public addressed the City Council and related Authorities and Agencies only on items that were listed under Closed Session: Jose Moreno.

Closed Session

1. The City Council and the related Authorities and Agencies recessed at [5:17 PM](#) to a closed session to confer with legal counsel regarding the following matters:

- a) CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Name of Case: *Dexia Credit Local v. City of Bell, Bell Public Financing Authority*
- b) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Bell v. Best Best & Krieger; LASC BC466436*
- c) CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Subdivision (a) of Section 54956.9);Name of case: *People v. Rizzo; LASC BC445497*

- d) CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Bell v. Avila*, LASC Case No. BC481531.
- e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957.
Employee: City Manager
- f) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957.
Employee: Chief of Police
- g) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957.
Employee: City Attorney
- h) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation (Government Code Section 54956.9(b)) (two (2) potential case)

Reconvene Regular Meeting at 7:22 PM

Pledge of Allegiance led by Javier Gomez.

City Attorney Report

The City Attorney reported the following on Closed Session matters: Items c) and d), a status report was given and no reportable action was taken; Items a) and b) were not discussed; Item g) was discussed to have the item continued to 12/17/12, no action was taken; Item f) was commence but not completed; Item e) was not performed; and on Item h) only one item was discussed no reportable action was taken.

Presentation

- 3. Presentation to Bell High School Football Team.
- 2. Report on Status of Litigation: Conclusion of Fiscal Year 2011-2012. (*Council*)

Communications from the Public

The following members of the public addressed the City Council, Bell Community Housing Authority the Successor Agency to the Bell Community Redevelopment Agency and the Planning Commission on items that are on the agenda and on non-agenda items that are under the subject matter jurisdiction of City Council and/or its related authorities and agencies: Joe Carmona, Richard Espiritu, Alfred Areyan, Juan Coria, Jose Moreno and Lorenzo Martinez.

Consent Calendar

4. Approval of General Warrants, Successor Agency to the Bell Community Redevelopment Agency Warrants and Community Housing Authority Warrants dated December 5, 2012. (*Council/Successor Agency to the Bell Community Redevelopment Agency /Bell Community Housing Authority*)
5. Approval of Minutes of the Regular Meeting of October 17, 2012. (*Council and Related Agencies*)

City Clerk Valdez requested the Council to approve the minutes with the correction of deleting the replication of Items 4 through 14.

It was moved by Councilmember Quintana, seconded by Councilmember Harber, to approve Consent Calendar Items 4 and 5.

Vote:	5-0
Yes:	Councilmember Harber, Councilmember Quintana, Councilmember Valencia, Vice Mayor Alvarez and Mayor Saleh
No:	None
Abstained:	None
Absent:	None

Motion Unanimously Passed.

Public Hearing

City Attorney Aleshire informed the Council that Item 15 should be included as part of the public hearing as it was noticed and published as a public hearing.

6. Consideration of Ordinance No. 1191 (First Reading) Municipal Code Amendment Reducing the City's Plan Check and Building Permit Fees.

Joe Perez, Community Development Director, provided a staff report for item 6.

Mayor Saleh opened the public hearing at [8:56:24 PM](#) regarding the Consideration of Ordinance No. 1191 (First Reading) Municipal Code Amendment Reducing the City's Plan Check and Building Permit Fees.

Hearing no testimony for or against this item, Mayor Saleh closed the public hearing [8:56:38 PM](#).

It was moved by Vice Mayor Alvarez, seconded by Councilmember Harber, to read by title only, waived further reading, and introduced Ordinance No. 1191 amending Section 15.04.030 regarding plan check and building permit fees; and placed the ordinance on the next regular agenda for adoption.

ORDINANCE NO. 1191 (FIRST READING): AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL AMENDING SECTION 15.04.030 OF THE BELL MUNICIPAL CODE REGARDING PLAN CHECK AND BUILDING PERMIT FEES.

Vote: 5-0
Yes: Councilmember Harber, Councilmember Quintana,
Councilmember Valencia, Vice Mayor Alvarez and Mayor Saleh
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

7. Consideration of Ordinance No. 1190 (First Reading) Municipal Code Amendment Special Event Sales Permit and Temporary Advertising Devices.

Joe Perez, Community Development Director provided a report on item 7. Discussion ensued among the city council.

Mayor Saleh opened the public hearing at [9:02 PM](#) regarding Consideration of Ordinance No. 1190 (First Reading) Municipal Code Amendment Special Event Sales Permit and Temporary Advertising Devices.

Hearing no testimony for or against this item, Mayor Saleh closed the public hearing at [9:03 PM](#).

It was moved by Councilmember Harber, seconded by Vice Mayor Alvarez, to read by title only, waived further reading, and introduced Ordinance No. 1190 adding Chapter 5.54 of the Bell Municipal Code regarding special event sales, grand openings and temporary advertising devices, and amending Section 5.56.020 through 5.56.070 regarding temporary use permits; and place the ordinance on the next regular agenda for adoption.

ORDINANCE NO. 1190 (FIRST READING): AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL ADDING CHAPTER 5.54 TO TITLE 5, DIVISION 11 OF THE BELL MUNICIPAL CODE REGARDING SPECIAL EVENT SALES, GRAND OPENINGS AND TEMPORARY ADVERTISING DEVICES; AND AMENDING SECTION 5.56.020 THROUGH 5.56.070 REGARDING TEMPORARY USE PERMITS.

Vote: 5-0
Yes: Councilmember Harber, Councilmember Quintana,
Councilmember Valencia, Vice Mayor Alvarez and Mayor Saleh
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

15. Consideration of Urgency Ordinance No. 1189 Extending a Moratorium on Recycling Facilities in the City of Bell.

Joe Perez, Community Development Director, provided a report on item 15.

Mayor Saleh opened the public hearing at [9:05 PM](#) regarding the Consideration of Urgency Ordinance No. 1189 Extending a Moratorium on Recycling Facilities in the City of Bell.

Hearing no testimony for or against this item, Mayor Saleh closed the public hearing at [9:05 PM](#). Discussion ensued among the Council.

It was moved by Vice Mayor Alvarez, seconded by Councilmember Harber, to adopt Ordinance No. 1189 extending a moratorium by one year on recycling facilities within the City of Bell.

INTERIM URGENCY ORDINANCE NO. 1189: AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, EXTENDING A MORATORIUM ADOPTED BY ORDINANCE NO. 1183 BY ONE YEAR, ON THE ACCEPTANCE, PROCESSING, ISSUANCE, OR APPROVAL OF ANY CONDITIONAL OR SPECIAL USE PERMITS OR ENTITLEMENTS FOR THE ESTABLISHMENT OF ANY TYPE OF RECYCLING FACILITY WITHIN THE CITY LIMITS PENDING THE COMPLETION OF STUDIES AND THE PREPARATION OF NEW AND UPDATED ORDINANCES REGULATING RECYCLING FACILITIES.

Vote: 5-0
Yes: Councilmember Harber, Councilmember Quintana,
Councilmember Valencia, Vice Mayor Alvarez and Mayor Saleh
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

Business Calendar

8. Consideration of Resolution No. 2012-80 Approving a Subdivision Agreement for Offsite Improvements for Parcel Map 71920 Located on the North Side of Bandini Boulevard between Pennington Way and Yeager Way.

Terry Rodrigue, City Engineer, provided a brief report on item 8.

It was moved by Vice Mayor Alvarez, seconded by Councilmember Harber, to adopt Resolution No. 2012-80 approving a subdivision agreement for offsite improvements for Parcel Map 71920 between the City of Bell and First Industrial, L.P. and authorized the City Manager to execute the agreement

RESOLUTION NO. 2012-80: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL APPROVING A SUBDIVISION AGREEMENT FOR OFFSITE IMPROVEMENTS FOR PARCEL MAP 71920 AND AUTHORIZING THE CITY MANAGER TO SIGN THE SUBDIVISION AGREEMENT FOR PARCEL MAP 71920 ON BEHALF OF THE CITY OF BELL.

Vote: 5-0
Yes: Councilmember Harber, Councilmember Quintana,
Councilmember Valencia, Vice Mayor Alvarez and Mayor Saleh
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

9. Consideration of Resolution No. 2012-81 Making the City of Bell a HEAL (Healthy Eating Active Living) City.

Pamela Wasserman, Community Services provided a brief report on item 9. Discussion ensued among the Council.

It was moved by Councilmember Valencia, seconded by Vice Mayor Alvarez, to adopt Resolution No. 2012-81 making the City of Bell a HEAL (Healthy Eating Active Living) City.

RESOLUTION NO. 2012-81: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL ADOPTING THE HEALTHY EATING ACTIVE LIVING (HEAL) CAMPAIGN.

Vote: 5-0
Yes: Councilmember Harber, Councilmember Quintana,
Councilmember Valencia, Vice Mayor Alvarez and Mayor Saleh
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

10. Report on Fiscal Year 2009-2010 Annual Financial. (*Council*)

Josh Betta, Finance Director provide a report on item 10. Discussion ensued among the Council. Jim Godsey, Macias Gini& O'Connel also provided a brief report on item 10. Discussion ensued among the City Council.

The City Council received and filed Item 10.

14. Consideration of Ordinance No. 1192 (1st Reading) Municipal Code Amendment An Ordinance of Amending Chapter 3.12 of the Bell Municipal Code Establishing a New Purchasing System.

Josh Betta, Finance Director provided a report on Item 14. Discussion ensued among the Council.

11:00:14 PM It was moved by Councilmember Harber, seconded by Councilmember Quintana, to read by title only, waived further reading, and introduced Ordinance No. 1192 amending Chapter 3.12 of the Bell Municipal Code in its entirety and adding a new Chapter 3.12 entitled "Purchasing;" and place the Ordinance on the next regular City Council meeting agenda for adoption.

ORDINANCE NO. 1192 (FIRST READING): AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, AMENDING CHAPTER 3.12 OF THE BELL MUNICIPAL CODE ESTABLISHING A NEW PURCHASING SYSTEM.

Vote: 2-2-1
Yes: Councilmember Harber and Councilmember Quintana
No: Councilmember Valencia and Mayor Pro Tem Alvarez
Abstained: Mayor Saleh
Absent: None

Motion Failed.

Further discussion ensued among the City Council. Item 14 was continued to the January 2, 2013 meeting.

16. Consideration of Resolution Setting the Dates and Times of the City Council's Regular Meetings.

Discussion ensued among the City Council.

It was moved by Vice Mayor Alvarez, seconded by Councilmember Harber, to adopt Resolution No. 2012-82 to hold meetings the first and third Wednesdays of each month, closed session beginning at 5:00 PM and the regular meeting beginning at 7:00 PM.

RESOLUTION NO. 2012-82: A RESOLUTION OF THE CITY OF BELL SETTING THE DATES AND TIMES OF THE CITY COUNCIL'S REGULAR MEETINGS TO BE HELD ON THE FIRST AND THIRD WEDNESDAYS OF EACH CALENDAR MONTH.

Vote: 3-2
Yes: Councilmember Harber, Vice Mayor Alvarez and Mayor Saleh
No: Councilmember Quintana and Councilmember Valencia
Abstained: None
Absent: None

Motion Passed.

18. Consideration of Contract for Human Resource Consultant

City Manager Willmore provided a report on item 18. Discussion ensued among the City Council.

It was moved by Councilmember Quintana, seconded by Councilmember Valencia, to approve an agreement, not to exceed \$25,000, to cover the cost of contract human resources consulting services.

11:06:22 PM

Vote: 5-0
Yes: Councilmember Harber, Councilmember Quintana,
Councilmember Valencia, Mayor Pro Tem Alvarez and Mayor
Saleh
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

22. Consideration of Appropriation from Sanitation Fund Reserves in the Amount of \$970,000 and Authorizing Payment to Rehrig Pacific.

Josh Betta, Finance Director provided a brief report on item 22.

It was moved by Councilmember Quintana, seconded by Mayor Pro Tem Alvarez, to appropriate \$970,000 from Sanitation Fund reserves to the Fiscal Year 2012-2013 Budget and authorized payments in the same amount to Rehrig Pacific Company.

<u>Vote:</u>	3-1
Yes:	Councilmember Harber, Councilmember Quintana and Mayor Pro Tem Alvarez
No:	Mayor Saleh
Abstained:	Councilmember Valencia
Absent:	None

Motion Passed.

11. Report on Fiscal Year 2009-2010 Single Audit of Federal Assistance. *(Council)*

Item 11 was continued to the next Council Meeting.

12. Report on Fiscal Year 2012-2013 Financial Status as of September 30, 2012. *(Council)*

Item 12 was continued to the next Council Meeting.

13. Report on Utility Users Tax Five-Year Forecast Reduction Scenarios. *(Council)*

Item 13 was continued to the next Council Meeting.

17. Consideration of Budgetary Adjustments and Appropriations Establishing the FY 2012-2013 Pavement Rehabilitation Project in the Amount of \$2,120,000.

Item 17 was continued to the next Council Meeting.

19. Report on Community Oriented Policing Services (COPS)

Item 19 was continued to the next Council Meeting.

20. Report on City of Bell, Bell Successor Agency and Bell Surplus Property Authority Investment at September 30, 2012.

Item 20 was continued to the next Council Meeting.

21. Report on City of Bell, Bell Successor Agency and Bell Surplus Property Authority Investment Report at October 31, 2012

Item 21 was continued to the next Council Meeting.

Mayor and City Council Communications

Mayor Saleh announced that Assembly Member Anthony Rendon and Senator Ricardo Lara have been sworn into office.

Councilwoman Quintana announced that the Latino Bar Association will be having summer camp for students who are interested in law school.

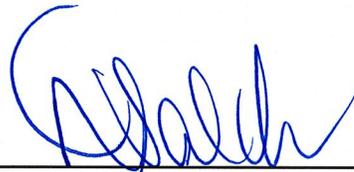
Adjournment

City Council meeting adjourned [11:12 PM](#).

I, Rebecca Valdez, City Clerk of the City of Bell, certify that the foregoing minutes were approved by the City Council of the City of Bell at a regular meeting held on February 20, 2013.



Rebecca Valdez, CMC
City Clerk



Ali Saleh, Mayor