

*Minutes of
Bell City Council
Bell Community Redevelopment Agency
Bell Community Housing Authority
Planning Commission*

*November 9, 2011
6:30 P.M. Closed Session
7:30 P.M. Open Session*

*Bell Community Center
6250 Pine Avenue*

Meeting was called to order by Mayor Saleh at 6.32 PM.

Roll call of City Council in their capacities as Councilmembers, Community Redevelopment Agency Members, Community Housing Authority Commissioners and Planning Commissioners.

Present: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia

Absent: None

Also Present: Interim Chief Administrative Officer Croce, City Attorney Aleshire and
City Clerk Valdez

Communications From The Public on Closed Session Items

None.

Closed Session

The City Council and the related Authorities and Agencies recessed at 6:35 PM to a closed session to confer with legal counsel regarding the following matters:

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Corcoran v. Bell*; LASC BC442280.

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Rizzo v. Bell*; LASC BC472566.

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *D&J Engineering v. Bell*; LASC VC059415.

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Richard Fisher Associates v. Bell*; LASC BC 466983.

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Sipple et. al. v. City of Alameda et. al.*, Case No. BC462270.

CONFERENCE WITH LEGAL COUNSEL--Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (5).

City Council reconvened to open session at 7:55 PM.

City Attorney Aleshire reported the following out of closed session: All items were discussed except the Sipple matter. No reportable action was taken.

Pledge of Allegiance

Pledge of Allegiance led by the Webelos Cub Scout Pack # 921.

Communications From The Public on Agenda Items Only

8:08:17 PM The following individuals spoke during communications from the public: Ron Garcia, Joe Carmona, Jose Moreno, Carmen Bella, Maria Solis, Laura Reyes, Humberto Romo, Hilda Rodriguez, Jose Vasquez and Ismael Morales.

Council Business

It was moved by Councilwoman Alvarez, seconded by Vice Mayor Harber, to approve the Special Bell City Council Minutes and Bell City Council, Bell Community Redevelopment, Bell Community Housing Authority and Planning Commission Minutes dated September 14, 2011.

8:37:34 PM

<u>Vote:</u>	5-0
Yes:	Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No:	None
Abstained:	None
Absent:	None

Motion Unanimously Passed.

8:38:36 PM It was moved by Councilwoman Alvarez, seconded by Councilwoman Quintana, to approve the General Warrants and Community Housing Authority Warrants dated October 26, 2011 through November 9, 2011.

8:39:06 PM

<u>Vote:</u>	5-0
Yes:	Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No:	None
Abstained:	None
Absent:	None

Motion Unanimously Passed.

8:40:08 PM

8:41:15 PM Discussion ensued among the City Council regarding the settlement agreement in the Sipple et. al. v. City of Alameda et. al.; Complaint filed by New Cingular Wireless for Refund of Utility User's Taxes.

8:47:13 PM It was moved by Vice Mayor Harber, seconded by Councilwoman Alvarez, to approve the settlement agreement in Sipple et. al. v. City of Alameda et. al.; Complaint filed by New Cingular Wireless for Refund of Utility User's Taxes.

8:47:56 PM

<u>Vote:</u>	4-1
<u>Yes:</u>	Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez and Councilman Valencia
<u>No:</u>	Councilwoman Quintana
<u>Abstained:</u>	None
<u>Absent:</u>	None

Motion Passed.

8:48:14 PM Interim CAO Croce provided a Status Report on the Solid Waste Collection Service Request for Proposals.

8:59:08 PM Discussion ensued among the City Council regarding the Solid Waste Collection Service Request for Proposals.

9:04:46 PM Bill Statler pro-bono consultant provided the staff report on the Review of 2012-13 Budget Process, Calendar and Format.

9:33:28 PM Interim Director of Community Services Debra Kurita provided a report on the Graffiti Removal Services RFP.

9:35:28 PM It was moved by Councilwoman Alvarez, seconded by Councilman Valencia, to approve the Graffiti Removal Services Request for Proposals.

<u>Vote:</u>	5-0
<u>Yes:</u>	Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
<u>No:</u>	None
<u>Abstained:</u>	None
<u>Absent:</u>	None

Motion Unanimously Passed.

9:38:27 PM It was moved by Vice Mayor Harber, seconded by Councilwoman Quintana, to approve the Second Reading of Ordinance No. 1182 to Commit the City of Bell to Annual Remittances to the County Auditor-Controller in Compliance with ABX1 27.

9:38:57 PM

Vote:

5-0

Yes:

Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia

No:

None

Abstained:

None

Absent:

None

Motion Unanimously Passed.

9:39:08 PM Interm CAO Croce requested the Council to move the following item to the 11/22/11 meeting:

Consideration of Countywide Signal Priority - Bell Memorandum of Understanding (MOU) -- Atlantic Ave. Traffic Signals.

9:39:28 PM City Council recessed.

9:53:23 PM City Council reconvened to open session

Planning Commission

9:55:45 PM Carlos Chacon, Assistant Planner provided the staff report on item 7.01.

9:58:54 PM Chair Saleh opened the public hearing regarding the Consideration of Resolution No. 2011-46 Approving Conditional Use Permit No. 2011-05 to Allow a Large Recycling Collection Facility to be Located Within an Existing 5,018 Square Foot Warehouse and an Attached 1,140 Square Foot Office; Location: 6216 Maywood Avenue, Bell, CA, APN 6318-019-038.

9:59:20 PM The following individuals spoke in favor of the project Nora Saenz, Carmen Bella and Alma Rico.

10:03:53 PM Chair Saleh closed the public hearing.

10:04:07 PM Discussion ensued among the Planning Commission. Council discussion began on the possibility of a moratorium in the future.

It was moved by Vice Chair Harber, seconded by Commissioner Valencia, to approve Resolution No. 2011-46 Approving Conditional Use Permit No. 2011-05 to Allow a Large Recycling Collection Facility to be Located Within an Existing 5,018 Square Foot Warehouse and an Attached 1,140 Square Foot Office; Location: 6216 Maywood Avenue, Bell, CA, APN 6318-019-038, with the condition that the wall be 8 feet.

10:28:13 PM

Vote:

4-1

Yes:

Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez and
Councilman Valencia

No: Councilwoman Quintana
Abstained: None
Absent: None

Motion Passed.

10:33:05 PM Discussion ensued among the Planning Commission regarding the Adult Day Care.

10:40:33 PM Chair Saleh opened the public hearing regarding the Consideration of Resolution No. 2011-49 Approving Conditional Use Permit No. 2011-07 to Allow a 7,000 Square Foot Adult Day Care Facility to be Located within an Existing Building; Location: 6317-6327 Otis Avenue, Bell, Ca., APN 6317-029-022 and 6317-029-021.

10:40:55 PM The following individuals spoke in favor of the project: Judy and Milda Ochoa, Nelida Sanchez, Nora Saenz, Carmen Bella and Jose Moreno.

11:08:47 PM Chair Saleh closed the public hearing.

11:10:22 PM It was moved by Commissioner Alvarez, seconded by Commissioner Quintana, to approve Resolution No. 2011-49 Approving Conditional Use Permit No. 2011-07 to Allow a 7,000 Square Foot Adult Day Care Facility to be Located within an Existing Building; Location: 6317-6327 Otis Avenue, Bell, Ca., APN 6317-029-022 and 6317-029-021.

11:10:52 PM

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

Motion Unanimously Passed.

11:15:26 PM Discussion ensued among the Planning Commission.

11:20:04 PM Chair Saleh opened the public hearing regarding the Consideration of Resolution No. 2011-50 Approving Conditional Use Permit No. 2011-08 to Allow a Large Recycling Collection Facility to be Located Within an Existing 2,048 Square Foot Building; Location: 3605 Gage Avenue, Bell, Ca., .APN 6318-020-018.

11:20:19 PM The following individuals spoke in favor of the project: Edwin Claros, Bill Smith, Marisol Rodriguez, Juliana Chico, Flor Claros, John Baschian, Nora Saenz, Yesenia Claros, Alma Rico and Jose Fuentes.

The following individual spoke against the project: Jose Moreno.

11:42:14 PM Chair Saleh closed the public hearing.

11:46:58 PM It was moved by Commissioner Valencia, seconded by Vice Chair Harber to move the following item to the 12/14/11 meeting:

Consideration of Resolution No. 2011-50 Approving Conditional Use Permit No. 2011-08 to Allow a Large Recycling Collection Facility to be Located Within an Existing 2,048 Square Foot Building; Location: 3605 Gage Avenue, Bell, Ca, .APN 6318-020-018.

11:51:38 PM

<u>Vote:</u>	5-0
<u>Yes:</u>	Chair Saleh, Vice Chair Harber, Commissioner Alvarez, Commissioner Quintana and Commissioner Valencia
<u>No:</u>	None
<u>Abstained:</u>	None
<u>Absent:</u>	None

11:56:20 PM Discussion ensued among the Planning Commission regarding the Hand Car Wash.

11:58:21 PM Chair Saleh opened the public hearing regarding the Consideration of Resolution No. 2011-51 Approving Conditional Use Permit No. 2011-09 to Allow a 1,000 Square Foot Hand Car Wash Facility to be Located Within an Existing Automobile Tire and Accessory Business on a 28,354 Square Foot Site; Location: 5080 GAGE Avenue, Bell, Ca, APN 6327-021-025.

11:58:42 PM The following individuals spoke in favor of the project: Joe Carmona, Nora Saenz, Carmen Bella, Ezzie Vasquez, Nelida Sanchez, Maria Arasmendi, Alma Rico and Jose Moreno.

12:05:27 AM Chair Saleh closed the public hearing.

12:08:16 AM It was moved by Commissioner Quintana, seconded by Commissioner Valencia, to approve Resolution No. 2011-51 Approving Conditional Use Permit No. 2011-09 to Allow a 1,000 Square Foot Hand Car Wash Facility to be Located Within an Existing Automobile Tire and Accessory Business on a 28,354 Square Foot Site; Location: 5080 GAGE Avenue, Bell, Ca, APN 6327-021-025.

12:08:53 AM

<u>Vote:</u>	5-0
<u>Yes:</u>	Chair Saleh, Vice Chair Harber, Commissioner Alvarez, Commissioner Quintana and Commissioner Valencia
<u>No:</u>	None
<u>Abstained:</u>	None
<u>Absent:</u>	None

Motion Unanimously Passed.

Communications From The Public

12:09:25 AM The following individuals spoke during communications from the public: Jose Vasquez, Juliana Chico and John Baschian.

Mayor and City Council Communications

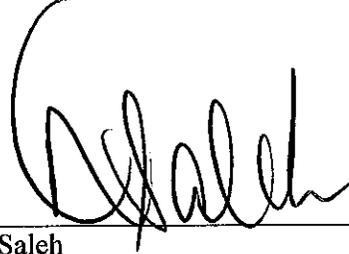
12:31:13 AM Councilwoman Quintana requested staff to come back with a moratorium ordinance on limiting recycling centers in the city.

12:31:59 AM Councilman Valencia agreed with Councilwoman Quintana and requested that a study also be conducted.

Adjournment

12:44:45 AM City Council meeting adjourned.

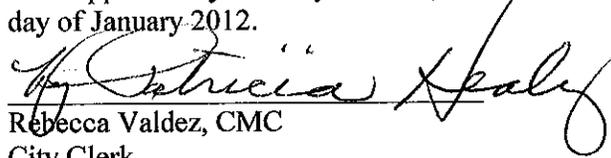
APPROVED THIS 25th DAY OF JANUARY 2012.



Ali Saleh
Mayor

ATTEST:

I, Rebecca Valdez, City Clerk of the City of Bell, California, do hereby certify that the foregoing minutes were approved by the City Council, as corrected of the City of Bell at a regular meeting held on this 25th day of January 2012.



Rebecca Valdez, CMC
City Clerk