CITY OF BELL, CALIFORNIA

MINUTES OF THE

BELL CITY COUNCIL/BELL COMMUNITY HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE BELL COMMUNITY REDEVELOPMENT AGENCY

May 2, 2012

Bell Community Center
6250 Pine Avenue

Called to Order by Mayor Saleh at 5:38 P.M

Roll Call of the City Council in their capacities as Councilmembers/ Members of the Bell Community Housing Authority/ and, Successor Agency to the Bell Community Redevelopment Agency:

Present: Councilmembers Harber, Quintana, and Valencia, and Mayor Saleh (4)

Absent: Vice-Mayor Alvarez (1) *

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

* Vice Mayor Alvarez arrived during the Closed Session at 5:46 P.M.

Communications from the Public on Closed Session Items

None

The City Attorney announced that the need to consider a litigation matter related to "People vs. Rizzo" was brought to the City's attention subsequent to the posting of the Agenda and to consider this item the Council, by a 4/5 vote, would need to make this finding.

Motion by Councilmember Harber, seconded by Councilmember Valencia to add Item 1(g). to the Closed Session Agenda was approved by the following vote:

Ayes: ***Councilmembers Harber, Quintana, and Valencia, and Mayor Saleh (4)***
Noes: ***None (0)***
Abstained: ***None (0)***
Absent: ***Vice-Mayor Alvarez (1)***

MOTION APPROVED

Closed Session

1. The City Council and the related Authorities and Agencies will recess to a closed session to confer with legal counsel regarding the following matters:

   a) PUBLIC EMPLOYMENT pursuant to Government Code Section 54957 (b) (1)
   Title: Chief Administrative Officer

   b) CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54956.6. (Bell Police Officers Association and Bell City Employees Association)

   c) 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*

   d) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Bell v. Best Best & Krieger*; LASC BC466436

   e) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Name of case: *James Corcoran v. City of Bell* Case No.: Los Angeles County Superior Court BC442280 **

   f.) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation (Government Code Section 54956.9(b)) (four (4) potential cases)

   g.) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Name of case: *People v. Robert Rizzo, et al* Case No.: Los Angeles Superior Court BC445497

** Councilmember Valencia recused himself from participating in Item 1(e) and left the dais for this item only.

Reconvene Regular Meeting

Pledge of Allegiance was led by Councilmember Quintana

Presentation by interim Director of Finance on Department Activities and Organization (Continued to a date to be determined)

City Attorney Report

The City Attorney reported that all closed session items were discussed except 1 (b) and that status reports were given on all matters; there was no action to report out.

Communications from the Public on Non-Agenda Matters and matters on the Agenda

The following individuals addressed the City Council on non-agenda items and items on the Agenda:

Juliann Chico Sanchez (general); Edith Tamayo (general); Marcos Oliva (general); Dianne Oliva (general, 9a and 9b); Sandra Orozco (Item 9); Ismael Morales (Items 4,5, and 9); Nora Saenz (Items 8,9); Carmen Bella (Item 9); Trina Corado (Items 5, and 9); Jose Moreno (Item 8); Hilda Rodriguez (general); Jorge Mansilla (overnight parking); Jason Gondola (damages to his property)

Study Item

Review Draft Purchasing Ordinance – Item continued to a later Regular Council meeting

Consent Calendar

- Items 4 and 5 pulled from the consent calendar for further discussion by Councilmember Valencia

2. Approval of Minutes of the Special Meetings of the City Council on April 7 and April 13, 2012, and the Regular Meeting of April 18, 2012 **(Council/*Successor Agency to the Bell Community Redevelopment Agency/Bell Community Housing Authority***

3. Approval of General Warrants and Community Housing Authority and Successor Agency to the Community Redevelopment Agency Warrants dated May 2, 2012. ***(Council/Successor Agency to the Bell Community Redevelopment Agency/Bell Community Housing Authority)***

4. Consideration of a new Professional Services Contract agreement with Rosenow Spevavek Group (RSG), Inc. to provide ongoing technical financial and administrative services ***(Successor Agency to the Bell Community Redevelopment Agency)***

5. Preparation of Engineer Reports for City-Wide Assessment Districts

Motion by Councilmember Valencia, seconded by Councilmember Harber to approve consent calendar Item No. 2 (as amended), and Consent Calendar Item No. 3 was approved by the following vote:***

Ayes:	***Councilmembers Harber, Quintana, and Valencia, Vice-Mayor Alvarez, and Mayor Saleh (5)***
Noes:	***None (0)***
Abstained:	***None (0)***
Absent:	***None (0)***

MOTION UNANIMOUSLY APPROVED

*** Minutes of April 18th corrected to reflect that the motion on the Dial A Ride Public Transportation Request for proposal was made by Mayor Saleh, and not Councilmember Quintana, and the motion was to reject all bids and instruct staff to prepare a new request for proposal. for transit services. Councilmember Quintana had made a motion to approve staff's initial recommendations, but the motion failed due to lack of a second.

Motion by Councilmember Harber, seconded by Councilmember Quintana, to approve a new Contract Agreement for Professional Services with RSG for one year with a contract amount not to exceed a maximum of $25,000, and authorize the Interim Chief Administrative Officer to execute the contract service agreement (Item 4), was adopted by the following vote:

Ayes:	***Councilmembers Harber, Quintana, and Valencia, Vice-Mayor Alvarez, and Mayor Saleh (5)***
Noes:	***None (0)***
Abstained:	***None (0)***
Absent:	***None (0)***

MOTION UNANIMOUSLY APPROVED

Motion by Vice-Mayor Alvarez, seconded by Councilmember Quintana, to direct the City Engineer to prepare the Engineer's Reports for the Landscape and Lighting District and Sanitation/Sewer District (Item 5), was adopted by the following vote:

Ayes:	***Councilmembers Harber, Quintana, and Valencia, Vice-Mayor Alvarez, and Mayor Saleh (5)***
Noes:	***None (0)***
Abstained:	***None (0)***
Absent:	***None (0)***

MOTION UNANIMOUSLY APPROVED

Councilmember Valencia requested that Item 9 (a) and (b) be taken out of order. Without objection, the Mayor announced that the Council would consider Item 9 (a) and (b) at this time.

9. Police Services ***(Council)***

a) Update on Provision of Police Services to Cudahy

Interim Chief Administrative Officer Croce provided the Council with an update on the negotiations with the City of Cudahy for the provision of Police Services by the Bell Police Department. He noted that this item would be placed on the Council Agenda for the regular meeting of May 16, 2012 for further discussion and consideration.

b) Phase One Study by the Los Angeles County Sheriff's Office on providing police services to the City of Bell (Continued from 4/18/2012)

This item was placed on the agenda at the request of Councilmember Valencia. Councilmember Valencia stressed the need to look at every option and suggested that staff be directed to formally ask the Los Angeles Sheriff's Office to do a phase one study on the costs and benefits of the Sheriff's office providing police services in the City of Bell. Council discussion ensued. The Mayor called for a recess at 8:31 P.M. and reconvened the discussion at 8:38 P.M. The Mayor called a second recess at 9:05 P.M. and reconvened the discussion at 9:15 P.M. Following the discussion, Councilmember Valencia moved that staff be directed to formally ask the Sheriff's Office to perform a phase one study. The motion failed due to a lack of a second.

Public Hearing

6. Introduction of ordinance amending the Zoning Code related to Yard Sales ***(Council)***

The Mayor announced that this was the time to conduct a public hearing relative to proposed amendments to the Zoning Code related to yard sales in the City. Nancy Fong, Interim Director of Community Development presented an explanation of the proposed amendments pertaining to the regulations of yard sales in the R-1, R-2, and R-3 Residential Zoning Districts. Following this presentation, the Mayor opened the public hearing on this matter. The following speakers addressed the Council in support or opposition, or expressing concerns about the proposal:

Ismael Morales expressed concern about the increase in paperwork; Sonnia Tanzanilla expressed concerns related to the fee for permits; Carmen Bella also expressed concerns related to the fees; Victor Portillo expressed concerns about limits to the number of yard sales allowed; Norma Saenz expressed concerns related to the permit fees; a property owner questioned why the fee was felt to be excessive and explained that she paid property taxes and did not feel the fee was excessive; Donna Gannon did not believe the increase in the number of yard sales permitted was excessive; Marcos Oliva did not object to the increase of allowable sales per year to four times annually.

Hearing no one else desiring to address the City Council, the Mayor closed the public hearing; Council discussion ensued.

ORDINANCE NO. 1186 - An Ordinance of the City Council of City of Bell, California, adopting Zoning Code Amendment 2012-01, amending Bell Municipal Code Section 17.16.030, Section 17.20.030 and Section 17.24.030 pertaining to the regulations of yard sales in the R-1, R-2 and R-3 Residential Zoning Districts.

Motion by Councilmember Harber, seconded by Vice-Mayor Alvarez, to approve Zoning Code Amendment 2012-01 and introduce Ordinance No. 1186 and read by title only, and schedule for Second Reading on May 16, 2012, was adopted by the following vote:

Ayes: ***Councilmembers Harber, Quintana, and Valencia, Vice-Mayor Alvarez, and Mayor Saleh (5)***
Noes: ***None (0)***

Abstained: ***None (0)***
Absent: ***None (0)***

MOTION UNANIMOUSLY APPROVED

Business Calendar

7. Amendment to Agreement with and progress update by MGO, City of Bell Independent Auditors ***(Council/Successor Agency to the Bell Community Redevelopment Agency/ Bell Community Housing Authority)***

Jim Godsey, representing MGO Certified Public Accountants, gave an update on the status of the Fiscal Year 2009/2010 audit of the City of Bell and explained why an increase of $85,000 was necessary to complete this audit. Following his explanation, Council discussion ensured.

Motion by Councilmember Valencia, seconded by Councilmember Quintana to approve **an $85,000 increase to the MGO Certified Public Accountants contract for the Fiscal Year 2009/10 Audit, was approved by the following vote:**

Ayes: ***Councilmembers Harber, Quintana, and Valencia, Vice-Mayor Alvarez, and Mayor Saleh (5)***
Noes: ***None (0)***
Abstained: ***None (0)***
Absent: ***None (0)***

MOTION UNANIMOUSLY APPROVED

8. Solid Waste ***(Council)***

a) Automated Container Proposer Award

Bill Smith, Pro-bono consultant on Solid Waste Recycling Proposal evaluation, gave a presentation to the Council on this matter, and explained that three bids were received for the purchase of automated containers. Following his presentation and recommendation, Council discussion ensued.

Motion by Vice-Mayor Alvarez, seconded by Council Quintana to **award the contract for the purchase of automated refuse/recycling containers to Rehrig Pacific Company, and, appropriate $970,595.00 from the Sanitation Fund (Fund 8) for the purchase of the containers, was approved by the following vote:**

Ayes: ***Councilmembers Harber, Quintana, and Vice-Mayor Alvarez (3)***
Noes: ***Councilmember Valencia and Mayor Saleh (2)***
Abstained: ***None (0)***
Absent: ***None (0)***

MOTION APPROVED

b) Solid Waste Recycling Proposal Evaluation

Pro-bono consultant Mr. Smith informed the Council that seven bids had been received by the May 1, 2012 deadline at 10:30 a.m., and the City was reviewing these proposals. He recommended that the Council appoint two members to work with staff to evaluate and recommend a Solid Waste Hauler from those companies which responded to the City's request for proposals. Following Council discussion, Councilmember Quintana and Mayor Saleh were appointed to this Ad Hoc Committee.

Mayor and City Council Communications

Councilmember Valencia

- Wished all mothers in the City of Bell a "Happy Mothers' Day"
- Asked staff to place items on future agendas related to an Ethics Resolution for the City Council, and procedures for rotating the position of Mayor of the City Council

Councilmember Quintana

- Announced that in the month of June, Huntington Park was hosting a "Relay for Life" event sponsored by the American Cancer Society and noted that if the City could recruit five individuals to participate in the event, they could register as a team representing the City of Bell in the relay event.

Vice-Mayor Alvarez

- Asked staff to ask the organizers of the Relay for Life event in Huntington Park to attend the Council meeting of May 16th to give a presentation to the community of the importance of this event, and to present a City proclamation recognizing the American Cancer Society's "Relay for Life"

Adjournment – 10:43 P.M.

Next Regular Meeting, Wednesday, May 16, 2012

I, Patricia Healy, CMC, Interim 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 May 16, 2012.

Patricia Healy, CMC
Interim City Clerk

Ali Saleh, Mayor