



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING - CLOSED SESSION
MONDAY, FEBRUARY 14, 2011, 5:00 P.M.
AGENDA**

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) 806-7706. 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

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

Pedro Aceituno, Council/Commission Member
Daniel Crespo, Council/Commission Member
Priscilla Flores, Council/Commission Member
Sergio A. Infanzon, Mayor Pro-Tem/Vice-Chair
Jennifer Rodriguez, Mayor/Chair

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes)

This public comment period is for items listed on the CLOSED SESSION AGENDA ONLY. Submit a WHITE public comment card with the closed session agenda item number you would like to discuss to the City Clerk prior to the start of this period. Cards that are submitted with no agenda item listed will be moved to the final public comment period. There will be no further cards accepted once the public comment period has started. Comments are limited to three (3) minutes per person, subject to an overall thirty (30) minute period. Please direct your comments to the Mayor/Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the City Council/Community Development Commission from discussing any item not appearing on the posted City Council/Commission Agenda.

CLOSED SESSION – None



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, FEBRUARY 14, 2011, 6:00 P.M.
AGENDA**

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) 806-7706. 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

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

Pedro Aceituno, Council/Commission Member
Daniel Crespo, Council/Commission Member
Priscilla Flores, Council/Commission Member
Sergio A. Infanzon, Mayor Pro-Tem/Vice-Chair
Jennifer Rodriguez, Mayor/Chair

CITY ATTORNEY/AGENCY COUNCIL REPORT FROM CLOSED SESSION – None

PRESENTATIONS – None

PUBLIC HEARINGS – None

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes)

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CONSENT CALENDAR (Item No.'s 1 – 14)

All matters listed under the Consent Calendar are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate action. Items called for separate discussion will be heard as the next order of business.

JOINT COUNCIL/COMMISSION ITEMS

1. GENERAL MOTION TO READ ALL ORDINANCES BY TITLE ONLY

In order to expedite the conduct of business at Council/Commission 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's recommendation that the City Council/Community Development Commission approve a general motion to waive full reading and approve Ordinances by title only pursuant to California Government Code Section 36934.

2. MINUTES

January 24, 2011 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the minutes for the Regular City Council Meeting of January 24, 2011.

3. REPAYMENT OF CITY LOAN BY COMMUNITY DEVELOPMENT COMMISSION

In 1972, the City of Bell Gardens and the Bell Gardens Community Development Commission ("Commission") (previously the Bell Gardens Redevelopment Agency) entered into a Cooperation Agreement whereby the City agreed to provide various assistance to the City's redevelopment agency to carry out redevelopment activities. Specifically, the City agreed to create a revolving fund using City General Fund reserves for the purpose of loaning the Commission much needed seed money to undertake redevelopment activities such as acquisition of real property, redevelopment activities, and payment of related expenses for the City's redevelopment project areas. Between the years of 1973 through 1991, the Commission received approximately 14 loans from the City's General Fund resulting in an outstanding total of \$52,102,700 that is owed to the City's General Fund ("City Loan"). The proposed resolution would have the City demand repayment and establishes a reasonable repayment schedule for the repayment of the City Loan by the Commission.

Recommendation: It is staff's recommendation that the City Council/Community Development Commission adopt City Council Resolution No. 2011-05 & CDC No. 2011-03, approving the repayment of revolving funds advanced by the City of Bell Gardens to the City of Bell Gardens Community Development Commission and Repayment Schedules.

COMMUNITY DEVELOPMENT COMMISSION ITEMS

4. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the Community Development Commission receive and file the following transactions:

Warrant Registers	01/18/11 (Check #'s 12443 – 12448)	\$	66,250.31
Warrant Registers	01/24/11 (Check #'s 12449 – 12458)	\$	19,853.80
	Total	\$	86,104.11

Any writings or documents provided to the majority of the City Council regarding any item on this agenda will be made available for public inspection at the Receptionist Counter, City Hall, 7100 Garfield Avenue, Bell Gardens, CA, during normal business hours.

In approving the action of receiving and filing the warrant registers, the official minutes of the Bell Gardens Community Development Commission should state that each individual member of the Community Development Commission 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 Commission member, or pays for any costs or expenses, or otherwise benefits the same named Commission member. Each Commission member will not be participating, influencing, or voting on any such warrant bearing their name or which benefits the same named Commission 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.

5. **AUTHORIZATION TO AWARD CONTRACT TO REHABILITATE 6544 ½ SPECHT AVENUE**

Staff advertised the project and solicited bids by posting an invitation to bid in the Eastside Sun on December 23, 2010 and January 6, 2011 and also in three Public Works Publications. On Wednesday, January 12, 2011 a pre-bid meeting and walkthrough was held to inform potential bidders of the scope of work and prevailing wage requirements. Staff issued Addendum No. 1 which included Alternate Additive Items to the project specifications. The contract award for this project will allow interior improvement to remedy damage to the unit caused by mold. On January 19, 2011 the City received a total of two bids from 1st California Construction and GDL Best Contractors Inc. GDL Best Contractors Inc. has been determined to be the lowest and most responsible bidder. The total budget for this project is \$23,150. Redevelopment tax increment funds will be used for this project. Funds have been allocated within the Community Development Redevelopment Project budget for Fiscal Year 2010 – 2011.

Recommendation: It is staff's recommendation that the Community Development Commission award a contract for the rehabilitation of 6544 ½ Specht Avenue ("Specht Rehabilitation") to GDL Best Contractors Inc. in the amount of \$23,150; and authorize the Mayor to sign the "CONTRACT AGREEMENT" and "GENERAL CONDITIONS."

6. **CORRIDOR REVITALIZATION PROGRAM UPDATE**

On September 14, 2009 the Commission approved the Corridor Revitalization Program ("Program"). The purpose of the Program is to provide financial assistance to the variety of properties located along corridors within the City, which will enhance the visual attractiveness of the corridors and facilitate continued growth and economic stability. The Program provides grants up to \$15,000 and low interest loans up to \$50,000 to assist properties with façade and other general exterior property improvements undertaken in accordance with the established Program Guidelines. Construction improvements have started at the following sites:

- 5935 Florence Avenue, Universal Air; installation of new internally lit building sign and exterior building paint.
- 6628 Eastern Avenue, JPM Glass; installation of new internally lit building sign and exterior building paint.

All projects are bid to the federal Housing and Urban Development Department standards. The Program utilizes American Recovery and Reinvestment Act funds, which are also leveraged by the City's Redevelopment Tax Increment funds.

Recommendation: It is staff's recommendation that the Community Development Commission receive and file the Corridor Revitalization Program update.

CITY COUNCIL ITEMS

7. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the City Council receive and file the following transactions:

Warrant Registers	01/13/11 (Check #'s 135653 – 135654)	\$ 190,733.94
Warrant Registers	01/18/11 (Check #'s 135655 – 135742)	\$ 361,347.35
Wire Transfers	01/13/11 (Wire #'s 814 – 815 & Payroll)	\$ 458,031.56
Warrant Registers	01/24/11 (Check #'s 135743 – 135826)	\$ 244,514.90
	Total	\$ 1,254,627.75

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.

8. DECEMBER 2010 TREASURER'S REPORT

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

Recommendation: It is staff's recommendation that the City Council receive, approve, and file the December 2010 Treasurer's Report.

9. FIRST AMENDMENT TO THE WATER SYSTEM OPERATION AND MAINTENANCE AGREEMENT WITH SWWC SERVICES, INC.

In 1991 the City acquired a water distribution system with 1,460 metered services from Park Water Company. On January 12, 2010, a 5 year contract was awarded to SouthWest Water Company ("SWWC"), a non-PUC company, to provide operation and maintenance services for the City's water system in the amount of \$278,402 for Year 1 (2010) and \$288,402 for Year 2 (2011). As for the annual cost for years 3, 4 and 5, the City and SWWC were to meet and confer in good faith to negotiate the annual compensation amount for each respective year. After negotiations, the City and SWWC agreed to the amount of \$240,000 for Years 2, 3, 4 and 5 resulting in an annual average cost savings of \$50,000 and an overall savings of approximately \$200,000 over a 4 year period.

Recommendation: It is staff's recommendation that the City Council approve the First Amendment to the Water System Operation and Maintenance Agreement between the City of Bell Gardens and SWWC Services, Inc.

10. ADOPTION OF THE 2010 ENGINEERING AND TRAFFIC SURVEY

The California Vehicle Code requires speed limits (as set by local authorities) to be justified on the basis of engineering and traffic surveys if radar is to be used for speed enforcement by the Police Department. The survey for speed limits is regularly conducted every five years for the purpose of complying with the California Vehicle Code. The engineering and traffic surveys are essential in maintaining a safe and orderly movement of traffic by setting speed limits that are reasonable and enforceable by the use of radar by police officers. In September 2010, the City authorized staff to conduct an engineering and traffic speed limits survey for 26 segments within the City which are detailed in the final survey report. Approximately 32 speed limit signs must be

replaced at an estimated cost of \$100 per sign for a total cost of \$3,200. These funds are included in the street maintenance budget for Fiscal Year 2010 – 2011.

Recommendation: It is staff's recommendation that the City Council introduce for first reading Ordinance No. 839, adopting the 2010 Citywide Speed Survey affirming the accuracy of the City's posted speed limits.

11. WHITE CURB PASSENGER LOADING AND UNLOADING AT 6628 FLORENCE PLACE

Whenever feasible, cost effective and in accordance with the municipal code, the City of Bell Gardens prudently strives to accommodate the traffic control and public parking needs of the community. Ms. Elsie Bracken submitted a written request on behalf of her brother, Nabor Pastora, for installation of a special colored curb parking designation in front of her residence at 6628 Florence Place. Ms. Bracken is requesting consideration of a special colored curb for the purpose of accommodating the school bus pick up and drop off for Mr. Pastora due to his medical condition making it difficult for him to get in and out of the school bus. Ms. Bracken's request was considered by the Traffic and Safety Commission on January 3, 2011 and approved the request for City Council consideration. The cost of installation for paint, hardware post and signage would be approximately \$400 and could be appropriated from the 2010 – 2011 Street Maintenance Budget.

Recommendation: It is staff's recommendation that the City Council:

- 1.) Adopt Resolution No. 2011-04, establishing parking restrictions in the City of Bell Gardens in accordance with Chapter 13.20 (Parking) of the Bell Gardens Municipal Code; and
- 2.) Authorize staff to install 25' feet of white curb designating a 3 minute passenger loading zone for the purpose of loading and unloading passengers Monday through Friday from 7 a.m. to 6 p.m. at 6628 Florence Place.

12. AGREEMENT FOR FY 09 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

The Edward Byrne Justice Assistance Grant (JAG) Program annually provides funding to local police agencies for programs or items related to local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice. The City was awarded \$28,442.06 from the JAG 09 Program. The City of Los Angeles, as the grant administrator, deducted 7% from the award for management of the grant. The police department has allocated these funds to supplement the department's special investigations unit for the purchase of equipment.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2011-06, approving the Subrecipient Agreement between the City of Bell Gardens and the City of Los Angeles FY 09 Justice Assistance Grant (JAG) Program Award.

13. EXAMINATION OF SALES, USE AND TRANSACTIONS TAX RECORDS

Pursuant to Bell Gardens Municipal Code Chapter 3.20 – Sales and Use Tax, the City entered into a contract with the State Board of Equalization to perform all functions incidental to the administration and collection of local sales, use and transactions taxes. The California Revenue and Taxation Code Section 7056 sets forth certain requirements and conditions for the disclosure of Board of Equalization records, and establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales, use and transactions tax records of the Board. The Resolution being presented to the City Council for adoption will give the ability for the City Manager to designate employees by position, access to the confidential tax records.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2011-07, authorizing examination of sales, use and transactions tax records.

14. FY 2010-11 MID-YEAR BUDGET FINANCIAL REPORT

The mid-year report provides Council and staff an opportunity to review and adjust, if needed, the City's original revenue projections and expenditure estimates after six months of activity. The Finance Department has completed its mid-year budget analysis. In order to determine how revenues are performing relative to budget expectations, staff has developed a model that compares current monthly revenues to historical performance during those same periods in previous years. This data is extrapolated to project the estimated total revenue for the current fiscal year. This predictive model provides some context to the status of a revenues performance in a given month. General Fund expenditures were adjusted to reflect the reduction in revenues to maintain a balanced budget.

Recommendation: It is staff's recommendation that the City Council approve the FY 2010-11 Mid-Year Budget Financial Report, and adopt Resolution No. 2011-08, amending the Fiscal Year 2010-11 Operating and Capital Improvement Budget.

DISCUSSION ITEMS – None

COMMUNITY DEVELOPMENT COMMISSION ITEMS

CITY COUNCIL ITEMS

**PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
(Three minutes per person, subject to a total period of 30 minutes)**

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CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT