



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING - CLOSED SESSION
MONDAY, SEPTEMBER 26, 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:

**a. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Negotiators – G. Steve Simonian, Phil Wagner, Will Kaholokula, Richard Kreisler, and Sam Strafaci

Employee Organizations – Bell Gardens City Employee Association, Bell Gardens Police Management Association, Bell Gardens Police Officers Association, Bell Gardens Public Works Association, and the Bell Gardens Public Works Supervisors Association



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, SEPTEMBER 26, 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

PRESENTATIONS – 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 – 9)

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

September 12, 2011 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council/Community Development Commission approve the minutes for the Regular City Council/Commission Meeting of September 12, 2011.

COMMUNITY DEVELOPMENT COMMISSION ITEMS

3. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant Registers	08/29/11 (Check #'s 12540 – 12542)	\$	1,332.91
Warrant Registers	09/06/11 (Check #'s 12543)	\$	2,400.00
	Total	\$	3,732.91

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.

CITY COUNCIL ITEMS

4. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant Registers	08/29/11 (Check #'s 138350 – 138358)	\$	72,894.35
Wire Transfers	08/25/11 (Check #'s 846 – 847 Payroll)	\$	465,711.90
Warrant Registers	08/29/11 (Check #'s 138359 – 138440)	\$	340,113.97
Warrant Registers	09/06/11 (Check #'s 138441 – 138498)	\$	266,808.68
Warrant Registers	09/06/11 (Check #'s 138499 – 138506)	\$	88,770.23
	Total	\$	1,234,299.13

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 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.

5. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO SOLICIT BIDS FOR THE FEDERAL SAFE ROUTES TO SCHOOL PROJECT

Section 1404 of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized the Federal Safe Routes to School (SRTS) Program in August 2005, after the success of California's Safe Routes to School (SR2S) program which began in 1999. The program is funded for the purpose of: 1.) enabling and encouraging students in kindergarten through eighth grade (K-8), including students with disabilities, to safely walk and bicycle to school, 2.) making walking and bicycling to school a more appealing mode choice and 3.) facilitating the planning, design, and implementation of projects that will improve safety, environment, and overall quality of life. The City of Bell Gardens was successful in its grant request and received \$337,280 from the Department of Transportation for the safety improvements at Bell Gardens Intermediate School, Bell Gardens Elementary School, Cesar Chavez Elementary and Suva Elementary School. Due to the federal nature of the funds awarded, the City is required to go through a federal authorization process with Caltrans in order to secure the funds and be able to move the project forward. The grant funds that have been secured will be used for construction and construction management activities. The design of the project was completed in FY 2009-2010 and the engineers have estimated a cost of \$293,286 for the following improvements: replacement of school radar speed signs, pedestrian countdown signal heads and installation of solar radar speed signs. Upon receiving authorization from City Council, staff will proceed with the bid phase of the project, which will take approximately five weeks to complete. The project expenditures are estimated at \$340,760 which includes construction and soft costs. The total budget for this project is \$365,352.

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

- 1.) Approve the plans and specifications for the Federal Safe Routes to School Project:
and
- 2.) Authorize staff to solicit bids for the construction of this project.

6. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO SOLICIT BIDS FOR THE STATE SAFE ROUTES TO SCHOOL (SR2S) CYCLE 9 PROJECT

The California Department of Transportation (Caltrans) awarded the City of Bell Gardens a cycle 9 (FY 10-11) Safe Routes to School (SRTS) Grant in the amount of \$361,680. In accordance with Caltrans procedures, staff completed the documents to request the State to allocate the funds for the project. On June 22, 2011, the City received notice that the State funds had been allocated and that the City may proceed with moving the project forward. The grant funds received will be used to pay for the entire project activities; including design, project management, construction management, administration and a community outreach component. This grant requires a 10% match. The Capital Improvement Budget includes traffic congestion relief funds to supplement the match. The City identified a community outreach element as part of the application. The SRTS campaign will help promote walking and bicycling as a viable form of transportation. The campaign will educate the community about the new infrastructure improvements, how to walk, bike and drive safely and the importance of physical activity

as well as staying healthy. The improvements will consist of installing zebra crosswalks, raised truncated domes, bulb-outs, pedestrian countdown signal heads, solar street lights, solar radar feedback signs, pavement legends, markings, striping and markers. The project expenditures are estimated at \$401,837 which includes construction and soft costs for FY 2011-2012. The total budget for this project is \$401,900.

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

- 1.) Approve the plans and specifications for the Safe Routes to School Cycle 9 Project; and
- 2.) Authorize staff to solicit bids for the construction of this project.

7. **AWARD CONTRACT WITH RON'S MAINTENANCE FOR CATCH BASIN CLEANING & MAINTENANCE**

Recently the City of Bell Gardens benefited from a \$10 million dollar grant to retrofit storm drain inlets with screen capture devices. As a result the maintenance and cleaning of all storm drain inlets requires more frequent attention. This translates into multiple cleanings prior to storm season and after each storm event resulting in a higher maintenance cost. Prior to the installation of these devices, the City used the Los Angeles County Public Works Department for routine maintenance which was less labor intensive, thus less costly. Due to expected increased maintenance cost earlier this year, the board of the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (Gateway Authority) directed staff to prepare and issue a Request for Bids for catch basin maintenance and cleaning because of the anticipated increase in cost by the Los Angeles County Public Works Department. Based on the bids received from Ron's Maintenance, Inc. (RMI), WCS Storm Water & Environmental Solutions, and United Storm Water, Inc., RMI is the lowest responsible qualified bidder. Maintenance of the new storm drain catch basin units is estimated to cost \$45,000 a year. These funds are available in the FY 2011-2012 Commercial Waste Hauler Funds budget.

Recommendation: It is staff's recommendation that the City Council award a 3 year contract to Ron's Maintenance, Inc. (RMI) for the maintenance and cleaning of all storm drain catch basin units.

8. **REDFLEX TRAFFIC SYSTEMS, INC. AGREEMENT**

The City and RedFlex Traffic Systems, Inc. entered into an exclusive agreement for a term of three (3) years whereby RedFlex would provide an automated red light camera enforcement system at the intersection of Florence Avenue and Eastern Avenue. The contract was approved by City Council on October 7, 2008, and the term of the agreement commenced with the issuance of the system's first citation on March 30, 2009. The agreement may be extended for a period of two (2) year terms with a 30 day written notice to RedFlex Traffic Systems prior to the agreement expiration date of March 29, 2012. The primary purpose of the red light camera enforcement system was to help reduce injury and/or deaths that occur from traffic collisions caused by motorists running red lights, as part of an overall community safety program. The existing red light enforcement program was designed to be "cost neutral" meaning it was not intended to be a source of revenue for the City. To date, 95% of the funds collected from verifiable violations have been paid to RedFlex Traffic Systems for operating the cameras. The remaining 5% of funds collected have been utilized to partially offset costs of personnel to manage the system. The red light camera program has contributed to a moderate decrease in the overall number of accidents; however, no change in the overall number of injury accidents. Furthermore, the police department has recognized unanticipated personnel costs to manage the program. Based on this analysis, the red light camera program is not significant enough of a community safety benefit to justify the

continuation of the program beyond the existing three (3) year agreement term that expires on March 29, 2012.

Recommendation: It is staff's recommendation that the City Council receive and file the status report on the City's red light camera enforcement system and approve the staff recommendation to discontinue service with RedFlex Traffic Systems, Inc. at the end of the existing three (3) year term agreement effective March 29, 2012.

9. OPPOSITION TO GOLDEN STATE WATER RATE FEE INCREASE

The City of Bell Gardens is divided into two potable water systems. Golden State Water Company ("GSWC"), a subsidiary of American States Utility Services, Inc., owns and services a water system which handles approximately 70% of the City, while the City of Bell Gardens owns the other 30% of the City's water system. On July 21, 2011 GSWC filed Application No. 11-07-017 with the California Public Utilities Commission ("CPUC") requesting authorization to increase revenues in the Region 2 Service Area for years 2013 to 2015. The CPUC regulates utility companies to ensure adequate levels of service are provided at the lowest reasonable costs. GSWC is requesting the following increase over authorized 2011 revenues for Region 2:

The average monthly residential water usage in GSWC's Region 2 Service Area is approximately 11 Ccf (11 hundred cubic feet or 8,228 gallons). With the proposed increase, a residential customer with a 5/8 X 3/4 inch meter using 11Ccf would see a **monthly bill increase in 2013 of \$10.26, or 20%, from \$51.34 to \$61.59; in 2014 of \$1.77 (or 2.8%) to \$63.36; in 2015 of \$2.11 (or 3.3%) to \$65.47.**

GSWC cited increased water rates, pumping costs and improved infrastructure needs as justification for the increase. On August 15, 2011 City staff met with GSWC to discuss these proposed increases and attempt to get information on how Bell Gardens residents would benefit from these pending increases. Staff requested the Capital Improvement Program forecast for the City of Bell Gardens that would justify such increases. Prior to this notice, GSWC had issued several advice letters (1384-W) requesting rate increases for Region 2. On May 25, 2010 the City of Bell Gardens went on record protesting proposed rate increases at that time.

Recommendation: It is staff's recommendation that the City Council direct staff to prepare for the Mayor's signature an official protest letter with the California Public Utilities Commission opposing Golden State Water Company's proposed 3 year rate increase; Application No. 11-07-017.

DISCUSSION ITEMS – None

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

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