



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING - CLOSED SESSION
MONDAY, AUGUST 8, 2011, 5:00 P.M.
MINUTES**

LOCATION: CITY COUNCIL CHAMBER, 7100 GARFIELD AVENUE, BELL GARDENS, CA

CALL TO ORDER – Mayor Rodriguez called the meeting to order at 5:08 p.m.

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

PRESENT: Aceituno, Infanzon, Rodriguez
ABSENT: Crespo (Excused), Flores (Excused)

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes) – None

CLOSED SESSION:

The Council/Commission recessed to Closed Session at 5:09 p.m. to discuss the following matters:

**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

Mayor Rodriguez reconvened the meeting to order at 6:02 p.m.

INVOCATION – was given by Pam Wasserman, Recreation & Community Services Director

PLEDGE OF ALLEGIANCE – was led by Aldo Schindler, Community Development Director

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

PRESENT: Aceituno, Infanzon, Rodriguez
ABSENT: Crespo (Excused), Flores (Excused)

CITY ATTORNEY/COMMISSION COUNCIL REPORT FROM CLOSED SESSION

City Attorney Arnold Alvarez-Glasman stated that the City Council/Commission members convened to Closed Session with the exception of Council Member Crespo and Council Member Flores. Regarding Item a, a briefing was provided to the City Council but no final action was taken.

PRESENTATIONS

- Recognition of Ernesto Diaz for being selected as the American Red Cross Youth Hometown Hero
- Presentation by the American Cancer Society Cancer Action Network

Presentations were rescheduled to a future City Council/Commission Meeting.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (Three minutes per person, subject to a total period of 30 minutes) – None

CONSENT CALENDAR (Item No.'s 1 – 11)

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 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.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to read all Ordinances by title only and waive the full reading. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

2. MINUTES

July 25, 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 July 25, 2011.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to approve the minutes for the Regular Meeting of July 25, 2011. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

3. MINUTES

August 1, 2011 – Special Meeting Minutes

Recommendation: It is staff's recommendation that the City Council/Community Development Commission approve the minutes for the Special City Council/Commission Meeting of August 1, 2011.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to approve the minutes for the Special Meeting of August 1, 2011. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
 NOES: None
 ABSENT: Crespo, Flores

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	07/11/11 (Check #'s 12525 - 12526)	\$	152,506.88
Warrant Registers	07/18/11 (Check #'s 12527)	\$	65,525.92
Warrant Registers	07/18/11 (Check #'s 12528)	\$	53.29
	Total	\$	218,086.09

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.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to approve the Warrant Registers and Wire Transfers. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
 NOES: None
 ABSENT: Crespo, Flores

CITY COUNCIL ITEMS

5. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant Registers	07/11/11 (Check #'s 137718 - 137786)	\$	649,962.76
Wire Transfers	06/30/11 (Check #'s Payroll)	\$	406,432.87
Wire Transfers	06/30/11 (Check #'s 838 - 839)	\$	116,862.25
Warrant Registers	07/11/11 (Check #'s 137787)	\$	150.00
Warrant Registers	07/11/11 (Check #'s 137788 - 137810)	\$	58,963.35
Warrant Registers	07/18/11 (Check #'s 137811 - 137870)	\$	756,158.98
Wire Transfers	07/14/11 (Check #'s Payroll)	\$	400,354.87
Warrant Registers	07/18/11 (Check #'s 137871 - 137891)	\$	258,431.28
Warrant Registers	07/18/11 (Check #'s 137892 - 137898)	\$	15,290.19
Wire Transfers	07/14/11 (Check #'s 840 - 841)	\$	112,533.65
	Total	\$	2,775,140.20

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.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to approve the Warrant Registers and Wire Transfers. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

6. JUNE 2011 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 June 2011 Treasurer's Report.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to receive, approve, and file the June 2011 Treasurer's Report. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

7. ACCEPTANCE OF ALLEY IMPROVEMENT PROJECT

On March 28, 2011, the City Council authorized staff to solicit bids for the project based on the plans and specifications. The project included the following improvements at various locations: removal and reconstruction of PCC longitudinal gutters, removal and reconstruction of asphalt concrete pavement, removal and reconstruction of PCC alley intersections, removal and reconstruction of damaged PCC pavement, sidewalk, curb and gutter and ADA curb ramps. The improvements were made at the following locations:

- Alley West of Garfield Avenue; Fosteria Street to Muller Street
- Alley North of Gage Avenue; Jaboneria Road to Darwell Avenue
- Alley North of Florence Avenue; Garfield Avenue to Granger Avenue
- Alley North of Gage Avenue; Eastern Avenue to Ajax Avenue
- Alley North of Gage Avenue; Specht Avenue to Eastern Avenue

On May 9, 2011, City Council awarded a construction contract to FS Construction as the lowest responsible bidder. FS Construction completed construction on June 29, 2011 and was within the 35 working days required by the contract agreement. Both the City Engineer and the Inspector conducted the final inspection, reviewed the project documents and have determined that the project was completed satisfactorily and in conformance with the project's plans and specifications. A total of \$383,411 from the Capital Improvement Project (CIP) budget was allocated for this project. The final project cost was \$355,355. A budget balance of \$28,056 will be available for a new project.

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

- 1.) Accept the Alley Improvement Project as complete; and
- 2.) Authorize staff to file a Notice of Completion.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to accept the Alley Improvement Project as complete and authorize staff to file a Notice of Completion. Motion carried by a vote of 2-0 with Mayor Rodriguez abstaining due to a conflict of interest of her property being within the 500 feet radius of the project.

AYES: Aceituno, Infanzon
NOES: None
ABSENT: Crespo, Flores
ABSTAIN: Rodriguez

8. ACCEPTANCE OF THE LOCAL STREET RESURFACING PROJECT ON FLORENCE PLACE AND EMIL AVENUE AND GALLANT STREET

On October 25, 2010, the City Council authorized staff to solicit bids for the street resurfacing project based on the plans, specifications and construction cost estimate that were prepared. The scope of work consisted of the following items: cold milling existing AC pavement, removing and replacing AC pavement, base and sub base material, overlay an asphalt rubber hot mix, reconstruction of concrete driveway approaches including curb and gutter, striping and marking replacement and painting of legend markings, including traffic signal loop replacement. The project limits were as follows:

- Florence Place from Garfield Avenue to Emil Avenue
- Emil Avenue from Florence Place to end of street limit
- Gallant Street from Jaboneria Road to Ira Avenue

On March 28, 2011, the City Council awarded a construction contract to United Paving, Co. United Paving, Co. completed construction on June 29, 2011. Both the City Engineer and the Inspector have conducted the final inspection, reviewed the project documents and determined that the project was completed satisfactorily and in conformance with the project's plans and specifications. A total of \$695,000 from the Capital Improvement Project (CIP) budget was allocated for this project. The final project cost was \$673,769. A budget balance of \$21,231 will be available for a new project.

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

- 1.) Accept the Local Street Resurfacing Project on Florence Place, Emil Avenue and Gallant Street as complete; and
- 2.) Authorize staff to file a Notice of Completion.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to accept the Local Street Resurfacing Project on Florence Place, Emil Avenue and Gallant Street as complete and authorize staff to file a Notice of Completion. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

9. AWARD LOCAL STREET IMPROVEMENT PROJECT – SUDAN/DARWELL/LIVE OAK/GILLILAND/PARK LN

On June 13, 2011, the City Council authorized staff to solicit bids for the project based on the plans, specifications and construction cost estimate prepared by the engineering team. The improvements will consist of cold milling existing AC pavement, overlays with asphalt rubber hot mix, reconstruction of concrete driveway approaches, curb and gutter, cross gutters, paint traffic striping and legend markings and traffic signal loop replacement. The project locations are as follows:

- Sudan Avenue from Florence Place to Fry Street
- Sudan Avenue from Fry Street to Live Oak Street
- Darwell Avenue from Loveland Street to Lubec Street
- Live Oak Street from Sudan Avenue to Scout Avenue
- Live Oak Street from Sudan Avenue to Emil Avenue
- Gilliland Avenue from Park Lane to Gallant Street
- Park lane from Gilliland Avenue to Garfield Avenue

On July 13, 2011, the City received nine (9) bids. Staff conducted a review of the submitted bids and concluded that the potential lowest base bidder was Silvia Construction. Based on the budget available for the project, staff recommends that a construction contract in the amount of \$412,510.24 be awarded to Silvia Construction. Staff also recommends the City Engineer be authorized to add the alternate bids A, B, and C to the contract, if funding is available upon completion of the base bid items. As part of the Capital Improvement Project Budget (CIP), \$559,231 has been allocated to this project.

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

- 1.) Award a construction contract to Silvia Construction in the amount of \$412,510.24 for the Local Street Improvement Project; and
- 2.) Authorize a contingency amount up to 10% for any unforeseen conditions; and
- 3.) Authorize staff to include additive bid items to the project should adequate funds be available.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to award a construction contract to Silvia Construction in the amount of \$412,510.24 for the Local Street Improvement Project; and authorize a contingency amount up to 10% for any unforeseen conditions; and authorize staff to include additive bid items to the project should adequate funds be available. Motion carried by a vote of 2-0 with Mayor Rodriguez abstaining due to a conflict of interest of her property being within the 500 feet radius of the project.

AYES: Aceituno, Infanzon
 NOES: None
 ABSENT: Crespo, Flores
 ABSTAIN: Rodriguez

10. PROPERTY ADDRESS NUMBERING

The purpose of this ordinance shall be to promote public safety and convenience through the provision of a rational street numbering system whereby addresses may be identified with ease and speed which is essential to the quick response of emergency services such as fire fighting, police and emergency medical care. This ordinance is supported by the City of Bell Gardens Police Department and the Los Angeles County Fire Department that serves our community.

Recommendation: It is staff's recommendation that the City Council introduce the first reading of Ordinance No. 841, amending Title 16 of the Bell Gardens Municipal Code enacting Chapter 16.60 et seq. establishing property address numbering requirements within the City.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to introduce the first reading of Ordinance No. 841, amending Title 16 of the Bell Gardens Municipal Code enacting Chapter 16.60 et seq. establishing property address numbering requirements within the City. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

11. APPROVE COUNCIL AB 1234 CONFERENCE TRAVEL REPORTS

Pursuant to the requirements of AB 1234, a report is required by any elected official attending a conference or seminar at the City's expense.

Recommendation: It is staff's recommendation that the City Council receive and file Council Member Aceituno's AB 1234 conference report submitted for the NALEO Policy Institute on Building Healthy Communities held on June 23-25, 2011; Mayor Rodriguez and Council Members Aceituno and Flores' AB 1234 conference report submitted for the Independent Cities Association's Annual Seminar held on July 7-10, 2011.

A motion was made by Council Member Aceituno and seconded by Mayor Pro-Tem Infanzon to receive and file Council Member Aceituno's AB 1234 conference report submitted for the NALEO Policy Institute on Building Healthy Communities held on June 23-25, 2011; Mayor Rodriguez and Council Members Aceituno and Flores' AB 1234 conference report submitted for the Independent Cities Association's Annual Seminar held on July 7-10, 2011. Motion carried by a vote of 3-0.

AYES: Aceituno, Infanzon, Rodriguez
NOES: None
ABSENT: Crespo, Flores

DISCUSSION ITEMS (Item No. 12)

COMMUNITY DEVELOPMENT COMMISSION ITEMS

CITY COUNCIL ITEMS

12. DESIGNATION OF VOTING DELEGATES AND ALTERNATES

The League of California Cities Annual Conference is scheduled for September 21-23, 2011 in San Francisco, California. An important part of the Annual Conference is the Annual Business Meeting scheduled for 2:30 p.m., Friday, September 23, 2011 at the San Francisco Moscone West Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy. Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the City Council.

Recommendation: It is staff's recommendation that the City Council designate a voting delegate and alternate to attend the League of California Cities Annual Business Meeting, scheduled for 2:30 p.m., Friday, September 23, 2011 at the San Francisco Moscone West Convention Center.

City Clerk Rosalia A. Conde gave the report on this item.

Mayor Rodriguez appointed Mayor Pro-Tem Infanzon as the voting delegate. Mayor Pro-Tem Infanzon accepted the appointment. Council Member Aceituno appointed Mayor Rodriguez as the voting alternate. Mayor Rodriguez declined the appointment and appointed Council Member Flores as the voting alternate.

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) – None

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

Council Member Aceituno gave general comments.

Mayor Pro-Tem Infanzon gave general comments.

Mayor Rodriguez gave general comments.

ADJOURNMENT – Mayor Rodriguez adjourned the meeting at 6:17 p.m.

A handwritten signature in black ink, appearing to read 'R. A. Conde', written over a horizontal line.

Rosalia A. Conde, CMC
City Clerk