



**CITY OF BELL GARDENS
CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION
REGULAR MEETING - CLOSED SESSION
MONDAY, JULY 26, 2010, 5:00 P.M.
MINUTES**

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

CALL TO ORDER – The Mayor called the meeting to order at 5:00 p.m.

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

PRESENT: Infanzon, Aceituno, Rodriguez (arrived at 5:12pm), Flores
ABSENT: Crespo(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 to discuss the following matters:

- a. Conference with Labor Negotiators
(Government Code Section 54957.6)
Agency Negotiators – G. Steve Simonian, Phil Wagner, Kim Krause, Mary Bradley
Employee Organizations – Bell Gardens City Employee Association, Department Directors, Bell Gardens Public Works Association, and the Bell Gardens Public Works Supervisors
- b. Public Employment
(Government Code section 54957)
Title: City Clerk

The Mayor/Chair reconvened the meeting to order at 6:00 p.m.

INVOCATION – was given by Phil Wagner, Assistant City Manager

PLEDGE OF ALLEGIANCE - was led by Pamela Yugar, Recreation and Community Services Director

ROLL CALL OF CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBERS

PRESENT: Infanzon, Aceituno, Rodriguez (arrived at 5:12pm), Flores
ABSENT: Crespo(excused)

CITY ATTORNEY/AGENCY COUNCIL REPORT FROM CLOSED SESSION

The City Attorney noted that the City Council/Commission received a briefing on each of the items as listed on the agenda. In regard to Item No. a, the Council received a briefing and no final action was taken. In regard to Item No. b., the Council unanimously voted (4/0) to appoint Rosalia A. Conde as Interim City Clerk.

PRESENTATIONS

- Presentation – Lieutenant Jeff Travis, FBI Academy
- Certificate of Recognition- Antonia Perez for being selected for the Clara Barton Spirit of the Red Cross Award
- Proclamation – Parks & Recreation Month
- Recognition – Winners for the Village Square Art Fiesta Competition
- Good Corporate Citizen Recognition – Certi-Fresh Foods, Inc., Metal Surfaces, Inc. and Wei-Chuan USA, Inc.
- Presentation- 2010 U.S. Census Report, City receives a gold rating

PUBLIC HEARINGS (Item No. 1)

COMMUNITY DEVELOPMENT COMMISSION ITEMS

CITY COUNCIL ITEMS

1. **Adopting the Congestion Manage Program (CMP) Local Development Report**

The Los Angeles County Metropolitan Transportation Authority (MTA), acting as the Congestion Management Agency for Los Angeles County, adopted the CMP on July 22, 2004. The adopted program requires the MTA to annually determine whether cities located within Los Angeles County conform to all CMP requirements. Compliance with the program is required for jurisdictions to receive State gas tax funds and to preserve their eligibility for other State and Federal transportation funds.

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

- 1). Open the Public Hearing and receive public testimony; and
- 2) Adopt Resolution No. 2010-27, A Resolution of the City Council of the City of Bell Gardens (County of Los Angeles), California, finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089.

Aldo Schindler, Community Development Director, provided the report.

The Mayor opened the public hearing and public comments.

No public comments received on this item.

The Mayor closed public comments and the public hearing.

A motion was made by Councilmember Aceituno, seconded by Mayor Pro Tem Rodriguez, and carried (4 – 0) to approve as recommended.

AYES: Infanzon, Aceituno, Rodriguez, Flores

NOES: None.

ABSENT: Crespo (excused)

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

Ron Hoyt spoke on item No. 7

CONSENT CALENDAR (Items No. 2 - 10)

2. 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 26934) 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 read all Ordinances by title only and waive the reading in full.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to read all Ordinances by title only and waive the reading in full.

AYES: Infanzon, Aceituno, Rodriguez, Flores
NOES: None.
ABSENT: Crespo (excused)

3. MINUTES

June 28, 2010 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council/Community Development Commission approve the minutes.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to approve the minutes.

AYES: Infanzon, Aceituno, Rodriguez, Flores
NOES: None.
ABSENT: Crespo (excused)

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	06/14/10 (Check #'s 12312 - 12314)	\$ 1,605.66
Warrant Registers	06/21/10 (Check #'s 12315 - 12318)	\$66,325.42
Warrant Registers	06/14/10 (Check #'s 12319 - 12320)	\$ 2,366.00
Warrant Registers	06/21/10 (Check #'s 12321 - 12322)	\$ <u>3,613.75</u>

Total \$73,910.83

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 Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to approve the Warrant Registers and Wire Transfers.

AYES: Infanzon, Aceituno, Rodriguez, Flores
 NOES: None.
 ABSENT: Crespo (excused)

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	06/14/10 (Check #'s 133068 - 133146)	\$252,338.15
Warrant Registers	06/21/10 (Check #'s 133147 - 133239)	\$313,497.26
Wire Transfers	06/17/10 (Wire's 782-785 & payroll)	\$483,389.26
Warrant Registers	06/23/10 (Check #'s 133240)	\$ 587.17
Warrant Registers	06/28/10 (Check #'s 133241 - 133326)	\$398,579.53
Warrant Registers	07/01/10 (Check #'s 133327 - 133331)	\$857,307.70
Warrant Registers	07/06/10 (Check #'s 133332 - 133386)	\$146,547.51
Warrant Registers	07/06/10 (Check #'s 133387 - 133414)	\$212,400.65
Wire Transfers	07/01/10 (Wire's 786-787 & payroll)	\$478,117.56
	Total	\$3,142,764.95

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 Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to approve the Warrant Registers and Wire Transfers.

AYES: Infanzon, Aceituno, Rodriguez, Flores
 NOES: None.
 ABSENT: Crespo (excused)

6. ACCEPTANCE OF SAFE ROUTES TO SCHOOL PROJECT

On June 24, 2008 the City of Bell Gardens was awarded a grant allocation in the amount of \$319,530 for the State Safe Routes to School Program. On January 12, 2009 the City Council awarded a construction contract to TDS Engineering for improvements in and around the vicinities surrounding Bell Gardens Elementary, Suva Elementary and Suva Intermediate School. The City Engineer has conducted the final inspection, reviewed the

project documents and determined that the project was completed satisfactorily and in conformance with the original plans and specifications.

Recommendation: It is staff's recommendation that the City Council by motion; 1) Accept the Safe Routes to School Cycle 7 Project as completed; 2) Authorize staff to file a Notice of Completion and 3) Authorize release of the final retention payment 35 days after filing the Notice of Completion.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to approve as recommended.

AYES: Infanzon, Aceituno, Rodriguez, Flores
NOES: None.
ABSENT: Crespo (excused)

7. RESOLUTION ALLOWING THE CITY MANAGER TO APPROVE WARRANTS

On June 22, 2009, the City Council approved a resolution authorizing the City Manager and Assistant City Manager to approve warrants. At that time, the City Council requested that this item be brought back for review one (1) year later. Over the past year, this procedure has helped the City conduct its business more efficiently by allowing the City to pay bills more efficiently and on a timely basis and costly late fees are avoided.

Recommendation: It is staff's recommendation that the City Council exercise its authority under California Government Code § 53910 to authorize the City Manager or the Assistant City Manager to approve the payment of warrants by adopting Resolution No. 2010-30.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to approve as recommended.

AYES: Infanzon, Aceituno, Rodriguez, Flores
NOES: None.
ABSENT: Crespo (excused)

8. APPROVAL OF NEW STANDARD SOFTWARE MAINTENANCE AGREEMENT WITH NEW WORLD SYSTEMS CORPORATION

The police department entered into an agreement with New World Systems in 2005 for software maintenance of the department's critical operating systems. This new agreement provides continued 24/7 customer service for our Computer Aided Dispatch, Records Management, and Mobile Computer Systems. This agreement protects these applications in the event of a network failure or other functional problem, and provides immediate service if this occurs.

Recommendation: It is staff's recommendation that the City Council approve the new Standard Software Maintenance Agreement with New World Systems Corporation for a period of three years from July 1, 2010 to June 30, 2013.

This item was pulled for separate consideration by Councilmember Infanzon.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Councilmember Aceituno, and passed (4 – 0) to approve as recommended.

AYES: Infanzon, Aceituno, Rodriguez, Flores
NOES: None.

ABSENT: Crespo (excused)

9. AB 1234 CONFERENCE REPORT

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 this report.

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to receive and file the report.

AYES: Infanzon, Aceituno, Rodriguez, Flores

NOES: None.

ABSENT: Crespo (excused)

10. TREASURER'S REPORT – JUNE 2010

The Treasurer's Report has been prepared and submitted for the month of June 2010.

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

A motion was made by Mayor Pro Tem Rodriguez, seconded by Mayor Flores, and passed (4 – 0) to receive and file the report.

AYES: Infanzon, Aceituno, Rodriguez, Flores

NOES: None.

ABSENT: Crespo (excused)

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)

Humberto Gerdtz requested to receive information on the Academic Pursuit Program.

Ronald Garcia thanked the City Council for attending the Rio Hondo Boys & Girls Club event.

CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

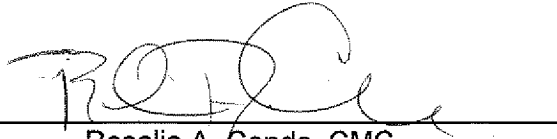
Councilmember Infanzon made general comments.

Councilmember Aceituno made general comments.

Mayor Pro Tem Rodriguez made general comments.

Mayor Flores made general comments.

ADJOURNMENT – The Mayor adjourned the meeting at 7:00p.m.

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

Rosalia A. Conde, CMC
Interim City Clerk