



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING – CLOSED SESSION
MONDAY, MAY 9, 2016, 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 Successor Agency Secretary 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 COUNCILMEMBERS

Priscilla Flores, Council Member
Jose Mendoza, Council Member
Maria Pulido, Council Member
Pedro Aceituno, Mayor Pro Tem
Jennifer Rodriguez, Mayor

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. 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 and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the City Council from discussing any item not appearing on the posted City Council Closed Session Agenda.

CLOSED SESSION:

**a. PUBLIC EMPLOYMENT PERFORMANCE EVALUATION
(Government Code Section 54957(b))**

Employee: City Manager

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

Agency Representative: Arnold Alvarez-Glasman, City Attorney and John Lam, Assistant City Attorney

Unrepresented Employee: City Manager

Possible action in open session: Consideration of an Amended and Restated Employment Agreement for the City Manager



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, MAY 9, 2016, 6:00 P.M.
AGENDA**

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

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CITY ATTORNEY REPORT ON CLOSED SESSION

PRESENTATIONS

- National Police Officers Memorial Day and National Police Week Proclamation
- National Public Works Week Proclamation
- Gruber and Associates to present the audited Comprehensive Annual Financial Report (CAFR)
- Older Americans Month Proclamation
- Certificate of Recognition for City of Bell Gardens Older American of the Year Sally Hoyt
- Certificate of Recognition Honoring the Memory of William "Ron" Hoyt

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

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CONSENT CALENDAR (Items No. 1 – 6)

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 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.

1. GENERAL MOTION TO READ ALL ORDINANCES BY TITLE ONLY

In order to expedite the conduct of business at City Council 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 approve a general motion to waive full reading and approve Ordinances by title only pursuant to California Government Code Section 36934.

2. **MINUTES**

April 25, 2016 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the Regular City Council Meeting of April 25, 2016.

3. **RECEIVE AND FILE THE LOCAL COMMISSIONS APPOINTMENT LIST**

The local appointments list includes the Bell Gardens Commissions and Commissioners. The City Council adopted Ordinance No. 825 on July 13, 2009 which consolidated the existing City Commissions and established minimum requirements for service. It should be noted that all Commission Members must reside within the City of Bell Gardens and may only serve on one Commission at a time. Once appointed, each Commissioner must adhere to the requirements of the City's Conflict of Interest Code and state-mandated AB 1234 ethics training. Ordinance 825 allows each Council Member to nominate one (1) candidate per Commission, subject to the approval of the Council majority. The appointed Commission Member will serve a term that coincides with the term of the Council Member who made the original nomination.

Recommendation: It is staff's recommendation that the City Council receive and file the local commissions appointments list.

4. **WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant register	04/12/16	Check #s	157286 - 157340		\$ 114,333.84
Warrant register	04/19/16	Check #s	157341 - 157437		
Wire transfers	04/14/16	Wire #s	1096 - 1097	\$ 643,806.32	
Payroll transfer	04/14/16		Net payroll	\$ 354,455.86	\$ 998,262.18
Warrant register	04/25/16	Check #s	157438		\$ 19,839.47
Total =					\$ 1,132,435.49

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. **MARCH 2016 TREASURER'S REPORT**

The Treasurer's Report for Cash and Investments for the month of March 2016 is attached.

Recommendation: It is recommended that the City Council receive, approve, and file the March 2016 Treasurer's Report.

6. **FIREWORK STAND APPLICATIONS**

Pursuant to Bell Gardens Municipal Code (Code) Section 16.40, no person shall sell fireworks within the City without first having applied for and received a permit in compliance with the terms set forth in the Code. Permits are issued only to non-profit associations or corporations organized primarily for veteran, patriotic, welfare, civic betterment, or charitable purposes. Included for your review are the following 6 applications in compliance with the code provisions received by the Community Development Department: 1) La Senda Antigua; 2) La Pentecostals; 3) Mision Cristiana

"Monte De Sion"; 4) Full Gospel Assembly of God; 5) Iglesia del Nazareno Nueva Vida; 6) Bell Gardens High School Band Boosters.

Recommendation: It is recommended that the City Council approve the 6 applications from organizations seeking to operate firework stands within the City limits from June 28, 2016, 12:00 p.m., through July 5, 2016, 12:00 p.m.

DISCUSSION (Item No. 7)

7. AWARD OF STREET TREE MAINTENANCE SERVICES CONTRACT TO WEST COAST ARBORISTS, INC.

The City owns and is responsible for approximately 4,500 trees which comprise its urban forest including public parks, facilities, streets and median islands. The Citywide tree maintenance program consists of trimming half of these trees annually. Staff solicited Requests for Proposals ("RFPs") by sending RFPs to seven companies that specialize in tree maintenance contracts for public agencies and advertising in the Eastside Sun and on the city website. As of the bid submission deadline date of April 11, 2016, three proposals were received. After reviewing the initial contract price proposals, City Staff closely reviewed each proposal to determine if the proposals conformed to the requirements of the City's RFP. After this review, it was determined by staff that TLC's proposal should be rejected as non-responsive, because it failed to fully answer the form entitled "Contractor's Organization Statement and Performance History," sections A, D, G, H, and I. Based on the two responsive, responsible bids, WCA submitted the lowest bid at \$173,643 per year. Therefore, staff has determined that West Coast Arborists, Inc. is lowest, responsive bidder and is qualified with the experience, resources, expertise, and proven history to provide the necessary citywide tree trimming services. If approved, the contract with WCA cost the City \$173,643 annually. The 2015-2016 Fiscal Year Budget includes sufficient funds in the Public Works Maintenance and Operation budget for annual tree trimming.

Recommendation: It is recommended that the City Council:

- (1) Determine the bid submitted by Trimming Land Company, Inc. as non-responsive;
- (2) Award the annual contract for citywide tree trimming to West Coast Arborists, Inc. for a period of three (3) years, beginning on June 1, 2016, and expiring on June 1, 2019; and
- (3) Authorize the City Manager to execute an agreement with West Coast Arborists, Inc. in a form approved by the City Attorney and authorize the City Manager to administratively approve two (2) one-year extensions, if WCA has performed well during their contract period.

PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL

(Three minutes per person, subject to a total period of 30 minutes)

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CITY COUNCIL MEMBER COMMENTS

ADJOURNMENT