

**CITY OF BELL GARDENS
CITY COUNCIL/SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
REGULAR MEETING – CLOSED SESSION
MONDAY, DECEMBER 14, 2015, 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 COUNCIL/SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION MEMBERS**

Priscilla Flores, Council/Agency Member
Jose Mendoza, Council/Agency Member
Maria Pulido, Council/Agency Member
Pedro Aceituno, 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/Agency Secretary 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/Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the City Council/Successor Agency from discussing any item not appearing on the posted City Council/Successor Agency Closed Session Agenda.

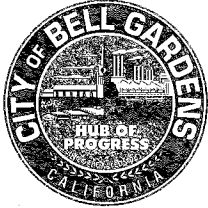
CLOSED SESSION:

City Council Item:

- a. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**
One (1) matter
Pursuant to Government Code Section 54956.9(D)(4)

Successor Agency Item:

- b. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION**
One (1) matter
Pursuant to Government Code Section 54956.9(D)(4)



**CITY OF BELL GARDENS
 SUCCESSOR AGENCY TO THE COMMUNITY
 DEVELOPMENT COMMISSION
 REGULAR MEETING
 MONDAY, DECEMBER 14, 2015, 6:00 P.M.
 AGENDA**

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

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CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL OF SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBERS

- Priscilla Flores, Agency Member
- Jose Mendoza, Agency Member
- Maria Pulido, Agency Member
- Pedro Aceituno, Vice Chair
- Jennifer Rodriguez, 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 SUCCESSOR AGENCY AGENDA ONLY. Submit a WHITE public comment card with the agenda item number you would like to discuss to the Successor Agency Secretary 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 Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the Successor Agency from discussing any item not appearing on the posted Successor Agency Agenda.

CONSENT CALENDAR (Items No. 1 – 2)

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 Successor Agency to the 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.

1. MINUTES

November 23, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the Successor Agency to the Community Development Commission approve the minutes for the Regular Successor Agency Meeting of November 23, 2015.

2. WARRANT REGISTERS AND WIRE TRANSFERS

Recommendation: It is staff's recommendation that the Successor Agency receive and file the following transactions.

Warrant register dated	11/24/15	Check #s	12763	\$	6,575.50
				Total	\$ 6,575.50

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

PUBLIC COMMENTS ON NON-AGENDA ITEMS UNDER THE SUBJECT MATTER JURISDICTION OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION

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

This public comment period is for items UNDER THE SUBJECT MATTER JURISDICTION OF THE SUCCESSOR AGENCY ONLY. Submit a PINK public comment card with the matter you would like to discuss to the Successor Agency Secretary 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 Chair and observe the Rules of Decorum appropriate to the Council Chamber. State law prohibits the Successor Agency from discussing any item not appearing on the posted Successor Agency Agenda.

AGENCY COUNSEL REPORT ON CLOSED SESSION ITEMS

SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, DECEMBER 14, 2015, 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

ROLL CALL OF CITY COUNCIL MEMBERS

Priscilla Flores, Councilmember
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 CITY COUNCIL AGENDA ONLY. Submit a WHITE public comment card with the 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 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 Agenda.

DISCUSSION (Items No. 1-2)

1. ADMINISTRATION OF OATH OF OFFICE TO ELECTED OFFICIALS

On June 8, 2015, the City Council called for a general municipal election to be held on November 3, 2015 to elect two members of the City Council. At the close of the nomination period on August 7, 2015, there were two candidates for member of the City Council, Jennifer Rodriguez and Pedro Aceituno. Therefore, on August 19, 2015, the City Council adopted Resolution No. 2015-55 and Resolution No. 2015-56, cancelling the election and appointing the two candidates to the offices to which each was nominated. When Jennifer Rodriguez and Pedro Aceituno were appointed to office in August, they had not yet served their full terms. It was deemed appropriate at that time, to install them into office on a date after November 3, the date of the election, and November 23, the deadline for declaring the results of the election, had it been held. The appointed officials will serve in office exactly as if they had been elected, starting their new term with the administration of the oath of office.

Recommendation: It is staff's recommendation that the City Council receive and file this report and direct the administration of the oath of office to: Jennifer Rodriguez, Member of the City Council and Pedro Aceituno, Member of the City Council.

2. **RESOLUTION NO. 2015-71 APPROVING THE FILING OF THE RIVERS AND MOUNTAINS CONSERVANCY PROPOSITION 1 GRANT APPLICATION FOR THE JOHN ANSON FORD PARK WATER PRESERVATION AND RESTORATION PROJECT**

The San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) is one of ten conservancies within the Natural Resources Agency established in 1999. The people of the State of California enacted the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Proposition 1), which provides funds for the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) Grant Program. The RMC received \$30 million from Proposition 1, the final grant guidelines were released in October 2015 and staff is currently putting together the application for the RMC Proposition 1 grant funding. The grant guidelines include sixty-three evaluation criteria. Other materials are required to accompany the application including a resolution from the City Council approving the filing of the grant application that is due on Wednesday, December 16, 2015. Staff will prepare and submit the RMC Proposition 1 grant application for the proposed project at John Anson Ford Park. The eastern portion, approximately half of the park (672,740 square feet – 15.44 acres) provides passive use shade trees and turf lawn areas irrigated by recycled water. The piping system, which provides the irrigation water sprinklers, is of asbestos-cement pipe primary system and metallic pipe. The primary system has in recent years become a costly maintenance and recycled water wasting problem in that the approximately seven feet deep pipelines have suffered countless breaks and resultant leaks. In making irrigation system repairs, sidewalks will be disturbed and some tree root corrective work will need to be done. The project consists of irrigation system replacement, related sidewalks repairs/modifications, and changes of some turf areas where replacement work will be done to drought resistant planting. The total cost of the needed work is estimated at \$1,000,000 for engineering plans and specifications, environmental review, and construction. All work will be performed by licensed professionals and competitive bidding by a State licensed contractor. This work will reduce usage and wasting of recycled water and save City maintenance dollars used for on-going repair work. No local match is required; however increased consideration will be given to projects that provide matching funds or equivalent in-kind contributions.

Recommendation: It is staff's recommendation that the City Council by motion adopt Resolution No. 2015-71 approving the filing of the application for local assistance funds from the RMC Proposition 1 Grant Program for the John Anson Ford Park Water Preservation and Restoration Project.

CONSENT CALENDAR (Items No. 3-12)

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.

3. **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.

4. **MINUTES**

November 23, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the Regular City Council Meeting of November 23, 2015.

5. **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.

6. **ANNUAL BOARDS AND COMMISSIONS LOCAL APPOINTMENT LIST**

Government Code Section 54970, known as the Maddy Act ("Act"), requires the city to annually, by December 31st of each year, prepare a list of all City Council appointees to regular and ongoing boards, commissions and committees. The Act also requires that this list include the name of the incumbent appointee, the date of the appointment, the date the term expires and the necessary qualifications of the positions. The Act requires that this list be posted at the public library. In adherence with transparency efforts, this list will also be posted on the City's website and the City Hall bulletin board.

Recommendation: That the City Council, by motion, direct staff to post the attached Annual City of Bell Gardens Local Appointments List, as mandated by the Maddy Act, Government Code Section 54970.

7. **WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant register	11/10/15	Check #s	155608 - 155668		<u>\$ 398,696.54</u>
Warrant register	11/17/15	Check #s	155669 - 155758		
Wire transfers	11/12/15	Wire #s	1072 - 1073	\$ 301,380.35	
Payroll transfer	11/12/15		Net payroll	<u>\$ 362,880.93</u>	<u>\$ 664,261.28</u>
Warrant register	11/24/15	Check #s	155759 - 155832		<u>\$ 204,618.22</u>
				Total =	<u>\$ 1,267,576.04</u>

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. **OCTOBER TREASURER'S REPORT**

The Treasurer's Report for Cash and Investments for the month of October 2015 is attached.

Recommendation: It is recommended that the City Council receive, approve, and file the October 2015 Treasurer's Report.

9. **REJECTION OF CLAIM**

The City directed the original claim to Carl Warren & Company. Following an investigation by the City's claims management administrator, these claims are being presented for rejection.

Recommendation: It is staff's recommendation that the City Council reject the claim filed by Jorge Contreras. The claim is being presented for rejection following a recommendation by the City's claims management administrator, Carl Warren & Company, and in a manner that allows the claimant, subject to certain exceptions, up to six months to file a court action on the claim.

10. **PURCHASE OF TRAINING AND DUTY AMMUNITION FOR POLICE DEPARTMENT**

Each year, the Police Department (PD) purchases ammunition for training and duty use. Each officer is required to complete shooting qualifications four times per year which equates to approximately 1,000 rounds per officer. Members of the Special Operations Team (SOT) require additional range training to maintain their skill level. Each year, the PD purchases ammunition in bulk instead of each quarter throughout the year, in order to recognize savings for a bulk purchase. Additionally, each officer is required to qualify with the patrol rifle, shotgun, and back up weapon, all of which have different calibers. Furthermore, to ensure reliability of ammunition, the PD changes out each officer's duty ammunition once a year. The proposed procurement of the ammunition is exempt from the City's purchasing requirements under Bell Gardens Municipal Code section 3.04.100(A) the "Sole Source" exception. It is requested that the City Council approve a purchase order for Dooley Enterprises, Inc. (a sole source provider) not to exceed \$21,000 for the purchase of training and duty ammunition. This purchase order will be utilized to purchase training and duty ammunition for the remainder of FY2015-16.

Recommendation: It is staff's recommendation that the City Council Adopt Resolution No. 2015-72 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS APPROVING A PURCHASE ORDER FOR THE ACQUISITION OF TRAINING AND DUTY AMMUNITION."

11. **PURCHASE OF THREE NEW PATROL VEHICLES FOR POLICE DEPARTMENT**

The police department (PD) assesses the fleet of patrol vehicles regularly to determine the need for adding additional vehicles and/or replacement of worn vehicles and associated equipment. As part of the preparation of the new fiscal year operating budget, staff conducted an evaluation of the fleet. After a careful review, three patrol vehicles were identified for replacement. Ford Motor Company discontinued production of the Crown Victoria in 2011. The PD began researching and evaluating different makes and models of vehicles. After careful consideration, staff selected the Ford Police Interceptor utility vehicle. During the last fiscal year, City Council authorized the purchase of three Ford Explorer Police Interceptor vehicles for our patrol fleet. These vehicles have proven to be dependable and have met or exceeded our expectations. It is staff's goal to outfit the remainder of the patrol fleet with these vehicles. The PD has identified Folsom Lake Ford as a vendor that can deliver three (3) of the requested vehicles. Through an RFP process, this vendor was awarded the State of California (CHP) Vehicle Purchase Contract and a subsequent contract extension through 2017. Bell Gardens Municipal Code Section 3.04.100(E) provides for waiving of the bidding process. The retrofitting of the new vehicles and new equipment purchases will be addressed in a future agenda item.

Recommendation: It is staff's recommendation that the City Council Adopt Resolution No. 2015-73, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS WAIVING THE FORMAL BID PROCESS AND AUTHORIZING THE PURCHASE OF THREE FORD POLICE INTERCEPTOR UTILITY VEHICLES FOR USE BY THE POLICE DEPARTMENT."

12. **APPROVAL OF NEW CARD GAME AT BICYCLE CASINO: "DAI BACC"**

The Bicycle Casino has a desire to add a new game to its existing list of approved games. Bicycle Casino Management has requested that the City approve the addition of a card game called "Dai Bacc." The Bell Gardens Police Department and the State of California Division of Gambling Control have reviewed the modifications requested and its existing rules. This card game is not specifically banned under § 330 of the Penal Code. In addition, the California Division of Gambling Control has already approved the game for play at other California card clubs. Pursuant to *Bell Gardens Municipal Code Section No. 5.25*, the Bicycle Casino has requested that the City Council approve the addition of the listed game. This game has been reviewed by the State of California Division of Gambling Control and found to be lawful and permitted.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2015-74, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS APPROVING THE PLAYING OF A NEW GAME AT THE BICYCLE CASINO ENTITLED DAI BACC."

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 ATTORNEY REPORT ON CLOSED SESSION ITEMS

CITY COUNCIL MEMBER COMMENTS

ADJOURNMENT