



**CITY OF BELL GARDENS
SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, AUGUST 08, 2016, 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 Successor Agency Secretary at (562) 806-7704. 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 SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBERS

- Priscilla Flores, Agency Member
- Maria Pulido, Agency Member
- Jennifer Rodriguez, Agency Member
- Jose Mendoza, Vice Chair
- Pedro Aceituno, 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

June 27, 2016 – 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 June 27, 2016.

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	07/05/16	Check #	12779	\$	<u>128.11</u>
Warrant register dated	07/12/16	Check #s	12780 - 12782	\$	<u>810,985.98</u>
Warrant register dated	07/19/16	Check #	12783	\$	<u>21.47</u>

Total \$ 811,135.56

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 SUCCESOR 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.

SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, AUGUST 08, 2016, 6:00 P.M.
AGENDA**

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

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CALL TO ORDER

ROLL CALL OF CITY COUNCIL MEMBERS

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

PRESENTATION

- Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

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

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CONSENT CALENDAR (Items No. 1 – 7)

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

July 19, 2016 – Special Meeting Minutes
July 25, 2016 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the minutes of the Special City Council Meeting of July 19, 2016 and the Regular City Council Meeting of July 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	07/05/16	Check #s	158221 - 158286		<u>\$ 172,909.76</u>
Warrant register	07/05/16	Check #s	158287 - 158301		<u>\$ 455,736.68</u>
Warrant register	07/12/16	Check #s	158302 - 158371		<u>\$ 198,011.53</u>
Warrant register	07/12/16	Check #s	158372 - 158403		
Wire transfer	07/07/16	Wire #s	1108 - 1109	\$ 2,305,224.87	
Payroll transfer	07/07/16		Net payroll	<u>\$ 414,607.28</u>	<u>\$ 2,719,832.15</u>
Warrant register	07/19/16	Check #s	158404 - 158444		<u>\$ 148,513.36</u>
Warrant register	07/19/16	Check #s	158445 - 158464		<u>\$ 2,399,749.06</u>
Total =					<u>\$ 6,094,752.54</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.

5. **JUNE 2016 TREASURER'S REPORT**

The Treasurer's Report for Cash and Investments is a list of cash and investments for the month.

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

6. **REJECTION OF CLAIMS**

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 claims filed by Paula Borrayo and Luis Gonzalez. The claims are 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.

7. **AGREEMENT WITH REGIONAL GOVERNMENT SERVICES**

Regional Government Services (RGS) is a joint powers authority that was formed for the purpose of providing local governments with staffing services. Due to a vacancy in the City's human resources department, the City has utilized RGS to obtain the services of a human resources professional. City staff is in continued need of human resources professional and advisory services. The individual utilized through RGS is a former human resources director with many years of experience. The services are utilized on an as needed basis as staff continues the process to fill the human resources vacancy. The services will also be utilized to advise and handle more complicated human resource activities. In order to continue to utilize the services provided by RGS, staff is requesting City Council approve an agreement with them.

Recommendation: It is staff's recommendation that the City Council approve resolution 2016-29, approving a professional services agreement with Regional Government Services to provide professional services in the City's human resources department.

DISCUSSION (Items No. 8-10)

8. **MASSAGE ESTABLISHMENTS; ORDINANCE NO. 875 (FILE NO. 2016-071)**

In 2008, the Legislature passed Senate Bill 731 ("SB 731") and enacted the Massage Therapy Title Act which established a statewide standard for massage certifications and limited the ability of cities to regulate massage establishments. In 2011, Senate Bill 1238 further eroded cities police powers. SB 731 created additional opportunities for brothels and human sex trafficking to occur. The Governor signed Assembly Bill 1147 ("AB 1147") into law on September 4, 2014. AB 1147 significantly revised existing laws regulating certified massage professionals and more importantly, returned significant authority to cities to regulate massage establishments. On October 27, 2014, the City of Bell Gardens City Council adopted Urgency Ordinance No. 861-U, an Interim Urgency Ordinance, declaring and imposing a citywide moratorium on the establishment, expansion, or relocation of massage therapy establishments for 45 days. The City subsequently extended the moratorium two consecutive times to allow staff sufficient time to formulate a comprehensive "massage ordinance." In response to the directive provided to staff with the adoption of Emergency Ordinance No. 861-U, staff is proposing Ordinance No. 875 which would establish new regulations governing massage establishments in the City.

Recommendation: It is staff's recommendation that the City Council adopt Ordinance No. 875, an ordinance repealing Urgency Ordinance No. 871-U "Extending Moratorium on the Establishment or Expansion of Massage Establishments," and amending the Bell Gardens Municipal Code to repeal Chapter 5.46, "Physical Therapy Massage" in its entirety and adopting new Chapter 5.46, "Massage Establishments," to establish comprehensive regulations governing massage establishments.

9. **ACCEPTANCE OF THE CONSTRUCTION CONTRACT FOR THE OPTICOM EMERGENCY VEHICLE PREEMPTION PROJECT**

The Highway Safety Improvement Program (HSIP), codified as Section 148 Title 23, United States Code, was elevated to core program as a result of the passage of the Safe, Accountable, and Flexible Act. Funds are directed for any publicly-owned roadway or bicycle/pedestrian pathway or trail that corrects or improves the safety for its users. The City of Bell Gardens applied for the Grant and was awarded a total of \$100,200 of HSIP funds for the installation of an Opticom Emergency Vehicle Preemption System. On November 19, 2014, the 3rd advertisement resulted in only one (1) bid proposal for this project. The low bid by Aegis ITS was again higher than the funds available for the project budget; therefore, staff requested additional federal funding for this project. On January 13, 2015, Caltrans agreed to increase HSIP funding in the amount of \$64,423. On February 9, 2015, the City Council awarded a construction contract to Aegis ITS,

Inc., in the amount of \$233,589.90 (includes 10% contingency). On April 15, 2015, per the City's request, Caltrans modified the additional HSIP funding with another additional amount of \$45,504 for the reimbursement ratio at the maximum 90%. On May 29, 2015, Aegis ITS, Inc. completed the construction of improvements based on the scope of work. A Contract Change Order allowed the City to save \$135,451.52. Due to the unexpended funds, another Contract Change Order was issued to include the furnishing and installation of emitters on twenty-six (26) Police Department patrol and emergency vehicles. On June 30, 2016, Aegis ITS Inc. completed the installation of emitters on 24 police vehicles. The City Engineer and the Inspector conducted their final inspection and have determined that the project was completed satisfactorily and in conformance with the project's plans and specifications. The new Opticom System was field tested by the Los Angeles County Fire Station 39. The project's total cost is \$177,592.21. A combination of \$100,200 from Federal HSIP, \$50,000 of Prop C, and \$30,000 from Local Casino Donation funds have been appropriated for this project.

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

- 1) Accept the construction contract for the Opticom Emergency Vehicle Preemption Project as complete and;
- 2) Authorize staff to file the Notice of Completion.

10. CONSIDERATION OF PROVIDING FUNDING FOR GATEWAY CITIES COUNCIL OF GOVERNMENTS MEASURE R EDUCATION CAMPAIGN

The City Council will discuss and consider whether the City of Bell Gardens (as a member of the Gateway Cities Council of Governments ("GCCOG")), should authorize funding for a proposed Measure R education campaign to be conducted by the GCCOG. At its regular meeting on July 6, 2016, the GCCOG Board of Directors voted to oppose MTA's proposed countywide transportation sales tax measure planned for the November 8, 2016 ballot. The GCCOG and its member cities are acutely aware of the need for additional transportation funding, and strongly supported the ground- up approach and the process that led to the identification of sub-regional project transportation needs. However, the MTA's initial Expenditure Plan could delay and substantially change the definition of the major Gateway Cities initiatives, and thereby potentially adversely affecting the sub-regional transportation needs and goals of the GCCOG. On August 3, 2016 the GCCOG Board of Directors authorized GCCOG staff to initiate the process of engaging a consultant to start a Measure R education campaign.

Recommendation: It is staff's recommendation that the City Council discuss and consider the GCCOG's funding request and if funding is approved, adopt Resolution No. 2016-30 authorizing an amount consistent with the City of Bell Gardens' proportional share.

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

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CITY COUNCIL MEMBER COMMENTS

ADJOURNMENT