



**CITY OF BELL GARDENS
SUCCESSOR AGENCY TO THE COMMUNITY
DEVELOPMENT COMMISSION
REGULAR MEETING
MONDAY, SEPTEMBER 12, 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 J. 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

August 22, 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 August 22, 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	08/16/16	Check #s	12785 - 12787	\$	<u>12,820.00</u>
			Total	\$	<u><u>12,820.00</u></u>

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.

SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT



**CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, SEPTEMBER 12, 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 J. Mendoza, Mayor Pro Tem
Pedro Aceituno, Mayor

PRESENTATION

- Presentation by Mayor Pro Tem Mendoza to Bell Gardens High School Teachers

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 – 9)

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

August 22, 2016 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the Regular City Council Meeting of August 22, 2016.

3. **WARRANT REGISTERS AND WIRE TRANSFERS**

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

Warrant register	08/09/16	Check #s	158672 – 158743		
Wire transfer	08/04/16	Wire #s	1112 – 1113	\$ 897,059.01	
Payroll transfer	08/04/16		Net payroll	\$ 381,429.05	\$ 1,278,488.06
Warrant register	08/09/16	Check #s	158744 – 158756		\$ 58,747.04
Warrant register	08/11/16	Check #s	158757		\$ 1,820.00
Warrant register	08/16/16	Check #s	158758 – 158844		\$ 215,653.44
Warrant register	08/16/16	Check #s	158845 – 158854		\$ 28,613.40
Total =					<u>\$ 1,583,321.94</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.

4. **JULY 2016 TREASURER'S REPORT**

The Treasurer's Report for Cash and Investments for the month of July 2016 is attached. **Recommendation:** It is recommended that the City Council receive, approve, and file the July 2016 Treasurer's Report.

5. **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 claims filed by Efrain Valenzuela, Yacmin Hernandez, Aaliyah Acosta and Rosa Ortega Flores. 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.

6. **PROFESSIONAL SERVICES AGREEMENT FOR STATE MANDATED REIMBURSEMENT CLAIMS**

Article XIII B, Section 6 of the California Constitution states, "Whenever the Legislature or any state agency mandates a new program or a higher level of service on any local government, the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service, except that the Legislature may, but need not, provide a subvention of funds for the following mandates:..." As required by the City's municipal code, the City requested proposals to contract for professional services in order to recover funds related to state authorized mandated programs. The City received three proposals. Based on the demonstrated competence of MGT of America, Inc. and the superior pricing, we recommend the City Council approve a three year agreement with MGT of America, Inc. to complete the state mandated reimbursement claims at the following amounts:

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2016-33, approving the professional services agreement with the consulting firm

MGT of America, Inc. to file and complete all state mandated reimbursement claims for the fiscal years 2016-2017, 2017-2018 and 2018-2019.

7. **ADOPTION OF ORDINANCE NO. 874 LANDSCAPING (FILE NO. 2016-030)**

On August 22, 2016, the City Council approved Zoning Code Amendment No. 2016-030, introduced Ordinance No. 874 and waived first reading of the ordinance. The adoption of Ordinance No. 874 to amend Chapter 9.34, "Landscaping," in its entirety will allow the City to be in compliance with all applicable State Laws. Ordinance No. 874 will establish new regulations for landscaped areas in all zones, parkway landscaping, the use of artificial turf, and the use of drought tolerant and water efficient landscape materials, and water efficient irrigation systems.

Recommendation: It is staff's recommendation that the City Council waive second reading and adopt Ordinance No. 874, amending and replacing in its entirety the Bell Gardens Municipal Code Title 9 Zoning and Planning Regulations Chapter 9.34, "Landscaping," establishing new regulations for landscaped areas in all zones, parkway landscaping, the use of artificial turf, and the use of drought tolerant and water efficient landscape materials and water efficient irrigation systems.

8. **ADOPTION OF ORDINANCE NO. 879 MASSAGE ESTABLISHMENTS (FILE NO. 2016-039)**

On August 22, 2016, the City Council approved Zoning Code Amendment No. 2016-039, introduced Ordinance No. 879 and waived first reading of the ordinance. Ordinance No. 879 proposes that massage establishments be permitted in the C4 zone subject only to the requirements of Bell Gardens Municipal Code Chapter 5.46 (as amended), and that the current requirement for a conditional use permit and the special development regulations contained in Zoning Code Section 9.20.115 be eliminated. The conditional use permit and the development regulations contained in the Zoning Code would no longer be necessary, as they would now be addressed within the new Municipal Code Chapter 5.46 (as amended). Approval of Zoning Code Amendment No. 2016-039 and adoption of Ordinance No. 879 would change "massage establishment" from a conditionally permitted use to a permitted use in the Heavy Commercial(C-4) zone, subject to the provisions contained in the Bell Gardens Municipal Code Chapter 5.46 (as amended), and will eliminate Section 9.20.115, "Massage Businesses-Conditional Use."

Recommendation: It is staff's recommendation that the City Council waive second reading and adopt Ordinance No. 879 amending the Bell Gardens Municipal Code Title 9 Zoning and Planning Regulations as follows:

a) Chapter 9.12, "Commercial Zones," Section 9.12.030 "Permitted Uses, Table 9.12.A: Commercial Land Use Matrix," to change "massage establishment" from a conditionally permitted use to a permitted use in the Heavy Commercial (C-4) zone, subject to the provisions contained in the Bell Gardens Municipal Code Chapter 5.46; and

b) Chapter 9.20, "Special Uses and Applicable Standards," eliminating Section 9.20.115, "Massage Businesses-Conditional Conditional Use."

9. **REQUEST FOR CITY COUNCIL APPROVAL FOR TRANSFER OF POINTS/INTEREST IN THE BICYCLE CASINO**

One transaction and one transfer were recently approved by the California Gambling Control Commission and now require approval by the City of Bell Gardens. Pursuant to the Bell Gardens Municipal Code Section 5.25 et seq. ("the Gaming Ordinance") all holders ("Point Holders") of an ownership interest in the Bell Gardens Bicycle Club Casino ("the Club") are required to be approved by the City after due consideration of an application and a background investigation prior to their taking ownership of an interest in the Club or the transferring of points. The Bicycle Casino has requested that the City

Council approve the transactions and transfers; the transfer has been reviewed by the State of California Gambling Control Commission and found to be lawful at this time.

Recommendation: It is staff's recommendation that the City Council approve the transfer of interest between existing partners and adopt Resolution No. 2016-34 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS APPROVING THE TRANSFER OF POINT HOLDER INTEREST."

DISCUSSION (Items No. 10-12)

10. ACCEPTANCE OF FY2017 OFFICE OF TRAFFIC SAFETY (OTS) GRANT PROGRAM FUNDS

The State of California, Office of Traffic Safety's "Selective Traffic Enforcement Program" (STEP), annually provides competitive grant funding to local police agencies for programs, training, and equipment items related to traffic safety, distracted driving and impaired driving enforcement. The City of Bell Gardens Police Department applied for funding as part of the FY16-17 Traffic Safety Grant Program and was awarded \$70,000. The police department has identified a need to purchase equipment and train officers in the detection of impaired driving, as well as conduct enforcement details for impaired and distracted driving. Upon adoption of this resolution, the Department of Justice will disperse these funds to reimburse the City of Bell Gardens for expenditures made in accordance with the grant requirements.

Recommendation: It is recommended that the City Council adopt Resolution No. 2016-35 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS ACCEPTING OFFICE OF TRAFFIC SAFETY (OTS) GRANT PROGRAM FUNDS AND APPROPRIATING THESE FUNDS FOR USE BY THE POLICE DEPARTMENT," thereby accepting grant funds from the State of California, FY2017 STEP Grant Program.

11. PATROL VEHICLE AND EQUIPMENT REPLACEMENT

On July 28, 2016, our Dispatch Center received an armed robbery call from the Verizon Store, 7220 Eastern Avenue. Officers in three separate patrol vehicles responded to the incident and became involved in a vehicle pursuit with the suspect vehicle. During the pursuit, patrol vehicle unit 236 was completely destroyed when it caught fire. This vehicle is a necessary part of our patrol fleet and is in urgent need of replacement. It is requested that the City Council waive the formal bid process for the purchase of a 2017 Ford Explorer Interceptor Utility SUV through Folsom Lake Ford, waive the formal bid process for a professional services agreement for the installation of all emergency equipment to be completed by Black and White Emergency Vehicles, Inc., and waive the formal bid process and approve the sole source purchase of equipment from L3 Communications, Duratech USA, Motorola, Inc., and Opticom.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2016-36 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS WAIVING THE FORMAL BID PROCESS AND AUTHORIZING THE PURCHASE OF A NEW FORD POLICE INTERCEPTOR UTILITY VEHICLE AND RELATED EQUIPMENT FOR USE BY THE POLICE DEPARTMENT."

12. PROFESSIONAL SERVICES AGREEMENT FOR ELECTRONIC AGENDA MANAGEMENT SYSTEM AND PURCHASE AND INSTALLATION OF RELATED SERVER AND LICENSES

Currently, the City uses an antiquated time and paper-intensive process to generate agenda materials for each Council meeting every two weeks. Electronic agenda management would streamline these processes and reduce the amount of paper required by providing version control of draft materials, automated workflows for drafting, reviewing and approving staff reports, and the ability to publish searchable electronic

agenda packets for Council and the public. City staff performed an informal bid process for an electronic agenda management software solution and solicited three bids from Granicus, DataBank, and Novusolutions. Upon review, it was determined that Novusolutions was the best bidder by meeting the City's specifications, level of functionality, and user-friendliness of the system, at the lowest cost.

Recommendation: It is staff's recommendation that the City Council adopt Resolution No. 2016-37 to (1) approve and authorize the City Manager to execute a professional services agreement with Novusolutions, in an amount not to exceed \$9,450 for the purchase of software, training and maintenance for an agenda management system, and (2) authorize the purchase and payment of a one-time payment of \$24,893.17 for purchase and installation of server equipment and licenses.

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

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CITY COUNCIL MEMBER COMMENTS

CLOSED SESSION ITEMS:

- (1) Conference with Labor Negotiators**
Government Code Section 54957.6
City Negotiators: City Manager, Assistant City Manager, and Director of Finance and Administrative Services
Employee Organizations:
Bell Gardens City Employees Association
Bell Gardens Public Works Employees Association
Bell Gardens Public Works Supervisors Association
Bell Gardens Police Management Association
Bell Gardens Police Officers Association

- (2) Public Employment Performance Evaluation**
Government Code Section 54957(b)(1)
Employee: City Clerk

RECESS TO CLOSED SESSION

CLOSED SESSION REPORT

ADJOURNMENT