



**CITY OF BELL GARDENS
 SUCCESSOR AGENCY TO THE COMMUNITY
 DEVELOPMENT COMMISSION
 REGULAR MEETING
 MONDAY, OCTOBER 26, 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 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

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

October 12, 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 October 12, 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	10/06/15	Check #s	12760	\$	1,248.79
				Total	\$ 1,248.79

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 SUCCESSION AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION

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

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SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION MEMBER COMMENTS

ADJOURNMENT



CITY OF BELL GARDENS
CITY COUNCIL
REGULAR MEETING
MONDAY, OCTOBER 26, 2015, 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, Councilmember
Jose Mendoza, Council Member
Maria Pulido, Council Member
Pedro Aceituno, Mayor Pro Tem
Jennifer Rodriguez, Mayor

PUBLIC HEARING (Item No. 1)

**1. URGENCY ORDINANCE NO. 871-U EXTENDING URGENCY ORDINANCE NO. 864-U
MESSAGE THERAPY MORATORIUM (FILE NO. 2014-098)**

In 2008, the Legislature passed Senate Bill 731 and enacted Business and Professions Code section 4600 et seq., 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 amended section 4600 et seq. and further eroded cities police powers to regulate massage practitioners and establishments. On September 4, 2014, the Legislature passed Assembly Bill 1147 which will repeal and amend Business and Professional Code Section 4600 et seq., and amend Section 460 of the Business and Professional Code and Section 51034 of the Government Code. AB 1147 was signed by Governor Brown and went into effect January 1, 2015. On October 27, 2014, the City of Bell Gardens City Council adopted Urgency Ordinance No. 861-U, declaring and imposing a citywide moratorium on the establishment, expansion, or relocation of massage therapy establishments for 45 days and providing direction to staff to study applicable issues and develop appropriate zoning regulations, licensing guidelines, and/or other regulations governing massage therapy uses. On November 24, 2014, the City Council received and filed a "10 day" report pursuant to Government Code Section 65858(d) outlining the City's measures taken to alleviate the conditions which necessitated the adoption of Interim Urgency Ordinance No. 861-U. On December 8, 2014, the City Council adopted Urgency Ordinance No. 864-U; an urgency ordinance extending Interim Urgency Ordinance No. 861-U for an additional 10 months and 15 days. The current Urgency Ordinance No. 864-U will expire on October 26, 2015, unless extended by the City Council. Due to the complexity of the issues involved, City staff requires additional time to research the options available regarding appropriate regulations of massage therapy establishments to prevent adverse impacts that may result from unregulated establishment or operation of such uses. Pursuant to Section 65858 of the Government Code, the current interim urgency moratorium may be extended for an additional 12 months, subsequent to a public notice and public hearing, if approved by four-fifths vote of the City Council. **Recommendation:** It is staff's recommendation that the City Council open the public hearing, receive testimony and adopt Urgency Ordinance No. 871-U; an urgency

ordinance extending Urgency Ordinance No. 864-U of the City of Bell Gardens adopted pursuant to Government Code Section 65858 declaring and imposing a citywide moratorium on the establishment of massage therapy businesses and establishments for an additional 12 months upon the expiration of the current moratorium.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

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CONSENT CALENDAR (Items No. 2 – 8)

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.

2. 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.

3. MINUTES

October 12, 2015 – Regular Meeting Minutes

Recommendation: It is staff's recommendation that the City Council approve the Regular City Council Meeting of October 12, 2015.

4. 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.

5. WARRANT REGISTERS AND WIRE TRANSFERS

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

Warrant register	09/29/15	Check #s	155148 - 155214	\$ 171,170.37
Warrant register	10/06/15	Check #s	155215 - 155314	
Wire transfers	10/01/15	Wire #s	1066 - 1067	\$ 549,590.21

Payroll transfer	10/01/15	Net payroll	\$ 353,387.74	\$ 902,977.95
Total =			<u>\$ 1,074,148.32</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.

6. APPROVAL OF CALIFORNIA CITIES FOR SELF-RELIANCE JOINT POWERS AUTHORITY (“JPA”) FOURTH RESTATED AND AMENDED AGREEMENT

In 2001, the Cities of Bell Gardens, Commerce, Gardena, and Hawaiian Gardens formed the California for Self-Reliance Joint Powers Authority (the “Authority”) pursuant to a Joint Powers Agreement for the purpose of promoting and protecting the common economic interests of its member cities. In 2006, the Cities of Inglewood and Compton were added to the Authority as members. The Authority member cities are similarly unique in that each member city hosts state licensed card clubs within its local jurisdiction. By coming together to form the Authority, its member cities can better leverage financial and political resources at the state and federal levels to promote and protect its residents’ shared economic interests addressing timely issues such as tribal gaming and online gaming. Under the Fourth Amendment, the member cities of Inglewood and Compton will be designated as “Founding Members” similar in status to the cities of Bell Gardens, Commerce, and Hawaiian Gardens, while recognizing that the City of Gardena withdrew from the Authority. This Fourth Amendment removes the prior distinction between the founding cities and non-founding cities and officially removes Gardena. In addition, this Fourth Amendment also adopts minor administrative changes to the Agreement, most notably allowing members to withdraw at any time from the Authority without requiring amendments to the Agreement and restarting the Authority; amends the term of the Agreement to July 10, 2017; establishes appointment procedures for member cities to appoint Authority Directors; authorizes Authority Directors to decline compensation; and sets forth the Authority’s remedies for breaches of the Agreement by member cities.

Recommendation: Staff recommends that the City Council adopt City Council Resolution No. 2015-65 approving the Fourth Amendment to the Joint Powers Agreement to reflect the reorganization of JPA membership, term of the Agreement, and JPA membership dues.

7. ACQUISITION OF NEW POLICE DEPARTMENT COMPUTER SERVER HARDWARE AND LABOR

As part of maintaining the police department’s network infrastructure, we began purchasing new network servers to replace servers that were technologically outdated, out of warranty, and utilizing older and obsolete software. Last year, we anticipated the installation of 3rd and 4th server domain controller servers. However, due to fiscal constraints, we were only able to complete the purchase and installation of one of these servers. We have already upgraded three of the four Active Directory servers and this will be the final upgrade. The installation and configuration of the system is a multi-day project. The server will cost **\$5,508.79** and the preparation and installation will require additional personnel from Lan Wan to assist and the labor hours are estimated at 53 which totals **\$5,035.00**. This labor is an anticipated expense this FY, and funds are available in the police department’s Information Technology budget. Three quotes for each project were obtained from Hewlett Packard, CDW-G, and PCM-G through our Information Technology contractor LAN WAN Enterprises, Inc. and are attached to this

report. Obtaining quotes through LAN WAN Enterprises, Inc. allows the City to benefit from and take advantage of vendor discounts offered to LAN WAN Enterprises, Inc. that are not available to the general public. Hewlett Packard was the lowest of the informal bidders and equipment will then be purchased by LAN WAN, Enterprises, Inc. The police department is requesting to purchase the equipment from and through LAN WAN Enterprises, Inc. who will then install and configure the hardware and software in accordance with their agreement for services with the City of Bell Gardens. The aging and obsolete equipment will be inventoried upon completion of both projects. We are requesting that the equipment be declared as surplus and sold at auction, with the City Manager given approval to accept this list as surplus equipment prior to authorizing its sale at auction pursuant to Bell Gardens Municipal Code Section 3.04.150.

Recommendation: It is staff's recommendation that the City Council Adopt Resolution No. 2015-66, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS AUTHORIZING THE PURCHASE OF A NEW NETWORK SERVER AND INSTALLATION FROM LAN WAN ENTERPRISES, INC. FOR USE BY THE POLICE DEPARTMENT."

8. REQUEST FOR CITY COUNCIL APPROVAL FOR TRANSFER OF POINTS IN THE BICYCLE CASINO

A Pointholder transfer was recently approved by the California Gambling Control Commission and now requires approval by the City of Bell Gardens. The transaction is as follows: The transfer of 1.0% from an individual Pointholder to existing partner(s). This interest was redeemed from Robert Gilbert and transferred to the listed partners: Leo and Ivy Chu (0.5%) and Carter LCP Partnership, LP (0.5%). Pursuant to *Bell Gardens Municipal Code Section No. 5-25*, the Bicycle Casino has requested that the City Council approve the transfer of interest of ownership; the transfer has been reviewed by the State of California Division of Gambling Control and Licensing 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. 2015-67, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GARDENS APPROVING THE TRANSFER OF POINT HOLDER INTEREST."

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CITY COUNCIL MEMBER COMMENTS

ADJOURNMENT