City Council Agenda

Regular Meeting

Bell City Council

Wednesday, April 4, 2012

6:00 P.M. Closed Session
7:00 P.M. Open Session

Bell Community Center
6250 Pine Avenue

Ali Saleh
Mayor

Danny Harber
Vice Mayor

Violeta Alvarez
Council Member

Ana Maria Quintana
Council Member

Nestor E. Valencia
Council Member

Welcome to the City Council Meeting

The Bell City Council and staff welcome you. This is your City Government. Individual participation is a basic part of American Democracy and all Bell residents are encouraged to attend meetings of the City Council. Regular City Council meetings are held the first and third Wednesday of the month at 7:00 p.m., Bell Council Chambers, 6330 Pine Avenue. For more information, you may call City Hall during regular business hours 8:00 a.m. to 4:00 p.m., Monday through Friday at (323) 588-6211 Extension 217.

City Council Organization

There are five City Council members, one of whom serves as Mayor and is the presiding officer of the City Council. These are your elected representatives who act as a Board of Directors for the City of Bell. City Council members are like you, concerned residents of the community who provide guidance in the operation of your City.

Addressing the City Council

If you wish to speak to the City Council on any item which is listed or not listed on the City Council Agenda, please complete a *Request to Speak Card* available in the back of the City Council Chambers. Please submit the completed card to the City Clerk prior to the meeting. The Mayor will call you to the microphone at the appropriate time if you have filled out a *Request to Speak Card.* At that time, please approach the podium, clearly state your name and address, and proceed to make your comments.

Compliance with Americans with Disabilities Act

The City of Bell, in complying with the Americans with Disabilities Act (ADA), request individuals who require special accommodation(s) to access, attend, and or participate in a City meeting due to disability. Please contact the City Clerk's Office, (323) 588-6211, Ext. 217, at least one business day prior to the scheduled meeting to insure that we may assist you.

Statement Regarding Compensation for Members of the Bell City Council

Compensation for the members of the Bell City Council is $673 a month. In accordance with Government Code Section 54952.3, Councilmembers will not receive any additional compensation or stipend for the convening of the following regular meetings: Successor Agency to the Bell Community Redevelopment Agency, the Bell Community Housing Authority, the Bell Public Finance Authority, the Bell Surplus Property Authority, the Bell Solid Waste Authority, and the Planning Commission.

CITY OF BELL, CALIFORNIA

MEETING OF THE

BELL CITY COUNCIL/BELL COMMUNITY HOUSING AUTHORITY/SUCCESSOR AGENCY TO THE BELL COMMUNITY REDEVELOPMENT AGENCY

April 4, 2012

6:00 P.M. Closed Session
7:00 P.M. Open Session

Bell Community Center
6250 Pine Avenue

Call to Order

Roll Call of the City Council in their capacities as Councilmembers/ Members of the Bell Community Housing Authority/ and, Successor Agency to the Bell Community Redevelopment Agency: Alvarez, Quintana, Valencia, Harber, and Saleh

Communications from the Public on Closed Session Items

This is the time for members of the public to address the City Council and related Authorities and Agencies only on items that are listed under Closed Session.

Closed Session

1. The City Council and the related Authorities and Agencies will recess to a closed session to confer with legal counsel regarding the following matters:

   a.) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Paul Martinez v. City of Bell; ADJ 7850172 and ADJ 7762099

   b.) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Lisa Ramirez, et al, County of Los Angeles, City of Bell, et al*; U.S. District Court Case No. CV 00457-JHN (M__ X)

   c.) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Name of case: *James Corcoran v. City of Bell* Case No.: Los Angeles County Superior Court BC442280

   d.) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIAGATION - *Luis Ramirez et al. v. City of Bell et al.*, LASC BC 474118

e.) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Bell v. Best Best & Krieger*; LASC BC466436

f.) CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Name of Case: *Dexia Credit Local v. City of Bell, Bell Public Financing Authority*

g.) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation (Government Code Section 54956.9(b)) (four (4) potential cases)

Reconvene Regular Meeting

Pledge of Allegiance – Led by Girl Scout Troop 8345 of Greater Los Angeles

Presentations - Certificates of Achievement to the Bell High Boys Basketball team members, coaches, and scorekeepers for winning the Eastern League Championship, the CIF Los Angeles City Division 3 Championship, and participating in the CIF State Championship Quarterfinals

Team Members: Daniel Lopez, Adolfo Alceda, Andy Contreras, Edward Sanchez, Keith Blackstone, Mychal Deas, Mario Torres, Jesus Chiquete, Angel Grimaldi, Cesar Cazares, Cesar Renteria, Alfredo Renteria

Coaches: Alexander Del Hierro, Head Coach; Alejandro De Santiago, Assistant Coach

Scorekeepers: Vanessa De Santiago, Annisa Garcia, Abrie Hernandez, Brenda Alamilla

Presentations – Recognition of Outstanding Performance in Auto Theft Investigations to Bell Police Officers James Dowdell, Chris Donahue and John Walker

Communications from the Public on Non-Agenda Matters

This is the time members of the public may address the City Council, Bell Community Housing Authority and the Successor Agency to the Bell Community Redevelopment Agency **on non-agenda items** that are under the subject matter jurisdiction of City Council and/or its related authorities and agencies.

State law prohibits the Council and/or its related authorities and agencies from taking action on a matter not on this Agenda. Any matter may be referred to the Interim Chief Administrative Officer for follow up.

Request to Speak forms must be submitted prior to the beginning of the public comment period on Non-Agenda Items. Speaker cards shall not be accepted by the City Clerk after the first

speaker begins his/her comments. Speakers will be called to speak by the Mayor/Chair at the appropriate time. Comments are limited to three minutes. When addressing the Council/Agencies, please address the Council through the Mayor/Agency Chair.

Presentation by interim Director of Community Development on Department Activities and Organization

Annual Reorganization of the City Council

2. The Reorganization of the Bell City Council for the 2012-2013 Term in accordance with Charter Section 504

   a) Election of Mayor
   b) Election of Vice Mayor

City Attorney Report

The City Attorney will report out on any action(s) to be taken by the City Council/Agencies on Closed Session matters.

Communications from the Public on Agenda Items

This is the time for members of the public to address the City Council, Bell Community Housing Authority, and the Successor Agency to the Community Redevelopment Agency, **on items that are listed on the open session agenda**.

Persons wishing to address the Council/Agencies on the Consent and/or Business Calendars should identify the items they wish to speak on at this time and provide a completed "blue" speaker card to the City Clerk. Request to Speak forms must be submitted prior to the beginning of the public comment period on Agenda Items. Speaker cards shall not be accepted by the City Clerk after the first speaker begins his/her comments.

Speakers will be called to speak by the Mayor/Chair at the appropriate time. Comments are limited to three minutes on all items. When addressing the Council/Agencies, please address the Council through the Mayor/Agency Chair.

Consent Calendar

The following Consent Calendar items are expected to be routine and non-controversial. They are acted upon by the City Council and related authorities at one time without discussion.

Recommendation: Approve items No. 3 through No. 6

3. Approval of Minutes of the Regular Meeting of the City Council on March 21, 2012 **(Council/*Successor Agency to the Bell Community Redevelopment Agency/Bell Community Housing Authority***

4. Approval of General Warrants and Community Housing Authority and Successor Agency to the Community Redevelopment Agency Warrants dated April 4, 2012.

(Council/Successor Agency to the Bell Community Redevelopment Agency/Bell Community Housing Authority)

5. 2011 Police Department Records Destruction Resolution ***(Council)***

Recommendation: Approve Resolution No. 2012-34 authorizing the destruction of police records

RESOLUTION NO. 2012-34 - A Resolution of the City Council of the City of Bell, California, Approving the Destruction of Obsolete Police Records Pursuant to California Government Code Section 30490

6. Approve Contract Change Order No.1 for the Filmore Street Project, (04-525-3737-0922), to add Otis Avenue improvements from Florence Avenue to Walnut Street. ***(Council)***

Recommendations:

(1) Approve Contract Change Order No.1 in the amount of $73,200 to add Otis Avenue improvements, from Florence Avenue to Walnut Street, to the Filmore Street Rehabilitation Project, (04-525-3737-0922);

(2) Authorize the City Engineer to approve the expenditure of a construction contingency of $7,320 (10%) for other unforeseen construction work, an amount not to exceed $3,500 for engineering design services, and a $3,400 for Construction Management (CM) and inspection, for a total expenditure of $87,420.

Council Business

7. City Council and Expense Reimbursement Policies and Procedures ***(Council)***

Recommendation: Adopt City Council Policies and Procedures and a City Expense Reimbursement Policy

8. Consideration of directing staff to prepare a Municipal Code change regarding Yard Sales ***(Council)***

Mayor and City Council Communications

Pursuant to Assembly Bill 1234, this is the time and place to provide a brief report on Meetings, Seminars and Conferences attended by Mayor and City Councilmembers.

Adjourn - Celebration of the One Year Anniversary of the Bell City Council

Next Regular Meeting, Wednesday, April 18, 2012.

I, Patricia Healy, CMC, Interim City Clerk of the City of Bell, certify that a true, accurate copy of the foregoing agenda was posted on March 30, 2012, seventy-two hours prior to the meeting as required by law.

Patricia Healy, CMC
Interim City Clerk

Meeting of
Bell City Council /Successor Agency to Bell Community Redevelopment Agency/ Bell Community Housing Authority

April 4, 2012

6:00 P.M. Closed Session
7:00 P.M. Open Session

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City of Bell
Agenda Report

DATE: April 4, 2012

TO: Mayor and Members of the City Council

FROM: Pat Healy, Interim City Clerk

APPROVED BY: _____
Arne Croce, Interim Chief Administrative Officer

SUBJECT: Election of Mayor and Vice-Mayor

RECOMMENDATION

That the City Council determine a process for the election of officers and proceed with the election of a Mayor and Vice Mayor for the 2012-13 term.

DISCUSSION

Annually, the City Council of Bell meets to reorganize and select one of its members as Mayor, and one as Vice-Mayor. The City Charter provides for the selection of officers on the City Council, but does not address the procedures for selecting officers. Charter Section 504 (Attachment A) specifies that the City Council shall meet and shall elect one of its members as its presiding officer, who shall have the title of Mayor. The Charter further provides that the City Council shall also designate one of its members as Vice Mayor.

Staff recommends that the City Council review Attachment B which discusses various rules for nominations and three voting options. The suggestions listed for nominations basically follow Roberts Rules and are used by many legislative bodies in California. The City Council should discuss these options and choose one for the selection of both the Mayor and the Vice-Mayor.

ATTACHMENTS

Attachment A – Charter Section 504
Attachment B – Process for Election of Mayor and Vice-Mayor

Section 504. PRESIDING OFFICER. At such time as the term of a member of the City Council commences, and at any time when there is a vacancy in the office of Mayor, the City Council shall meet and shall elect one of its members as its presiding officer, who shall have the title of Mayor. The Mayor may make and second motions and shall have a voice and vote in all its proceedings. The Mayor shall be the official head of the City for all ceremonial purposes. The Mayor shall have the primary but not exclusive responsibility for interpreting the policies, programs, and needs of the City government to the people, and, as occasion requires, may inform the people of any major change in policy or program. The Mayor shall perform such other duties consistent with the office as may be prescribed by this Charter or as may be imposed by the City Council. The Mayor shall serve in such capacity at the pleasure of the City Council.

The City Council shall also designate one of its members as Vice Mayor, who shall serve in such a capacity at the pleasure of the City Council. The Vice Mayor shall perform the duties of the Mayor during the Mayor's absence or disability.

Attachment B

Process for Election of Mayor and Vice-Mayor

Since there is no existing Council policy on how nominations and votes for Election of Officers are handled, the Council may want to discuss the process and decide how to proceed.

Nominations from the Floor

As soon as the Mayor opens nominations from the floor, any member can bring forth a nomination. A member should know beforehand if the person he or she wishes to nominate is both eligible and willing to serve.

When the nomination is from the floor:

- A person can nominate himself or herself.
- A nomination does not need a second.
- A member can't nominate more than one person for an office until everyone has had the opportunity to make nominations.
- Nominees do not have to leave the room during the nominations, when the vote is taken, or when the vote is counted.
- The presiding officer can continue presiding, even if he or she is one of the nominees for the office.
- A member can rise and decline the nomination during the nominating process.
- After each nomination, the presiding officer repeats the name to the Council. For example, the Mayor says: **"Councilmember x has been nominated for Mayor.. Are there further nominations for Mayor?"**
- Usually, the Mayor closes nominations when no further nominations come forward from the Councilmembers or he/she asks for a motion and a second to close nominations.

Voting Process

After the nominating process is finished, the members must vote on the proposed candidates. Voting options include the following:

Voice Vote

When there is only one candidate for office, election by voice vote is a typical method to use. When more than one person has been nominated and the election is by voice vote, the chair takes the vote on the candidates in the order in which they were nominated. Members must remember to vote yes for the candidate that they want and vote no for the other candidates. The first candidate to receive a majority vote wins.

The Mayor takes the vote this way:

Mayor: All those in favor of Member G for Mayor, say "Aye." Those opposed say "No."

The Mayor then announces the vote:

Mayor: The ayes have it, and Member G is elected Mayor.

If Member G loses, the chair announces the result this way:

Mayor:: The noes have it, and Member G is not elected. All those in favor of Member X for president say "Aye." Those opposed say "No."

The Mayor then announces the results of this vote. The procedure continues until someone receives a majority vote. When electing officers, if there is a tie vote or no one receives a majority vote, members keep voting until someone is elected.

Roll Call Vote

An alternative to a voice vote would be a roll call vote. The city clerk would call each member by name and the member would announce the name of the nominated individual he/she is voting for. If no member receives three votes, the voting is continued until a selection is made

Ballot Vote

Each member would receive a blank ballot. A member would write the name of the nominated individual he/she wishes to vote for, and sign the ballot. The city clerk would collect the ballots and proceed to read each one, announcing the selected candidate and the name of the member who cast the vote. If no member receives a majority vote, the voting is continued until a selection is made

The procedure for electing a Vice-Mayor should be the same as for Mayor.

MINUTES

Bell City Council/Bell Community Housing Authority/Successor Agency to the Bell Community Redevelopment Agency

March 21, 2012

Bell Community Center
6250 Pine Avenue

Called to order by Mayor Saleh at 6:03 P.M.

Roll Call of the City Council in their capacities as Councilmembers/ Members of the Bell Community Housing Authority/ and, Successor Agency to the Bell Community Redevelopment Agency:

Present: Councilmember Alvarez, Vice Mayor Harber, and Mayor Saleh (3)

Absent: Councilmembers Quintana and Valencia (2)*

Also Present: Interim Chief Administrative Officer Croce, City Attorney Aleshire, and Interim City Clerk Healy

* Councilmembers Quintana and Valencia arrived at the Meeting during Closed Session at 6:05 P.M.

Communications from the Public on Closed Session Items

None

Closed Session

1. **The City Council and the related Authorities and Agencies will recess to a closed session to confer with legal counsel regarding the following matters:**

   a.) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Lisa Ramirez, et al, County of Los Angeles, City of Bell, et al*; U.S. District Court Case No. CV 00457-JHN (M__ X)

   b.) CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Subdivision (a) of Section 54956.9) Name of case: *James Corcoran v. City of Bell* Case No.: Los Angeles County Superior Court BC442280

   c.) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Mango v. City of Maywood*; USDC CV11-5641 G GW (FFMx)

d.) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *D&J Engineering v. Bell*; LASC VC059415.

e.) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Richard Fisher Associates v. Bell*; LASC BC 466983.

f.) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9); Name of case: *Ramirez v. County of Los Angeles, et al.;* USDC 11-CV04057

g.) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Significant exposure to litigation (Government Code Section 54956.9(b)) (three (3) potential cases)

Reconvene Regular Meeting

Pledge of Allegiance led by Mayor Saleh

Mayor Saleh presented a proclamation recognizing the Month of March as Multiple Sclerosis Association of America "MS Awareness" month and presented the award to local activist Ms. Sandra Orozco

City Attorney Report

The City Attorney reported that all items on the Closed Session Agenda were discussed except Items 1 (f) and (g) and that there was no action taken on the items discussed.

Presentation by interim Chief of Police on the Organization of the Bell Police Department

Interim Chief of Police Steve Belcher presented the Bell Police Department Annual Report, an informational document produced to inform and educate the public about their Police Department. Chief Belcher provided descriptions of the various divisions and units, special units, programs and detailed crime information for the previous year. Following his presentation, Council discussion ensued.

Communications from the Public on Agenda Items Only

Twenty – seven speakers addressed the Council relative to items on the Council Agenda. Many of these speakers spoke in support or opposition to Item # 8 – Negotiations with the City of Cudahy for the City of Bell to provide police services. The following speakers addressed the Council: Donna Gannon, Ignacio Marquez, Alfred Areyan, Richard Espirita, Sandra Orozco, Maria Torres, Dolle Walker, Dennis Alvedos, Willie Aguilar, Margarita Limon, Diana Velasco, Hilda Rodriquez, Carmen Bella, Marcos Olivos, Juliana Chico, Joe Carmona, Nora Saenz, Christina Alvarado, Baldomiro Marquez, Mario Rivas, Ismael Morales, Gerardo Mayagoita, Nelida Sanchez, Maria Arizmendi, Diane Oliva, Jose Moreno, and Luz Martinez.

Consent Calendar

2. Approval of Minutes of the Regular Meeting of the City Council on March 7, 2012, and Minutes of the Special Meetings of the City Council on March 12, and March 14, 2012 ***(Council/Successor Agency to the Bell Community Redevelopment Agency/Bell Community Housing Authority)***

3. Approval of General Warrants and Community Housing Authority and Successor Agency to the Community Redevelopment Agency Warrants dated March 21, 2012. ***(Council/Successor Agency to the Community Redevelopment Agency/Community Housing Authority)***

4. Award of a Construction Contract to E.C. Construction, Inc. for the Florence Avenue Street Rehabilitation Project (Walker Street to I-710 Freeway), Federal Aid Project No. STPL-5272 (011) in the amount of $229,409; authorize the Interim Chief Administrative Officer to execute a construction contract following approval as to form by the City Attorney, and authorize the City Engineer to approve the expenditure of a construction contingency, if necessary, not to exceed 10% of the contract amount or $22,941 for change orders and other unforeseen construction work ***(Council)***

5. Approval of Resolution No. 2012-31 authorizing a new Local Agency Investment Fund (LAIF) Account ***(Council)***

   RESOLUTION NO. 2012-31 - A Resolution of the City Council of the City of Bell, California, approving a New local Agency Investment Fund Account in the California State Treasury for Investing Funds Associated with the City's Role as Successor Agency to the Former Community Redevelopment Agency of the City of Bell.

6. Approval of Resolution No. 2012-33 Accepting the Street Rehabilitation at Various Locations Project as Complete and File Notice of Completion. ***(Council)***

   RESOLUTION NO. 2012-33 - A Resolution of the City Council of the City of Bell, California, Approving Street Rehabilitation at Various Locations Project Improvements as Complete, and Authorizing Staff to Prepare and File the Notice of Completion with the Los Angeles County Recorder.

7. Allocation of FY 2011-12 Beverage Container Recycling Grant Funds and approving an appropriation adjustment recognizing and allocating grant funds of $9,842 from the State of California Department of Resources Recycling and Recovery to the Beverage Container Recycling Grant Project. ***(Council)***

Motion by Councilmember Quintana, seconded by Councilmember Alvarez, to approve Consent Calendar Items 2 through 7, was adopted by the following vote:

Ayes: ***Councilmembers Alvarez, Quintana, Valencia, Vice-Mayor Harber, and Mayor Saleh (5)***
Noes: ***None (0)***

Abstained: ***None (0)***
Absent: ***None (0)***

MOTION UNANIMOUSLY ADOPTED

Council Business

8. Negotiations with the City of Cudahy for the City of Bell to provide police services for the City of Cudahy. ***(Council)***

This item was left on the table so that the remaining items on the agenda could be considered at this time. Following a recess and the reconvening of the Council meeting at 9:46 p.m., Interim Chief Administrative Officer Arne Croce presented the proposal related to negotiating with the City of Cudahy for the City of Bell to provide police services. Following his presentation Council discussion and debate ensued. Councilmember Valencia suggested that the City pursue this proposal on the agenda, and also simultaneously pursuing phase one of the proposal for police services for Bell to be provided by the Los Angeles County Sheriff. Mayor Saleh commented that it would not be appropriate to pursue both proposals at the same time. Councilmember Quintana suggested that staff should report findings to the Council on the City's analysis of the cost estimates for services provided by the Sheriff's Office. Discussion continued.

Motion by Councilmember Quintana, seconded by Vice Mayor Harber to authorize the Chief Administrative Officer to work with a City Council Committee and enter into negotiations with the City of Cudahy whereby the City of Bell would provide police services for the City of Cudahy with the contingency that the City of Bell have the opportunity to verify the findings in staff's analysis on the cost breakdowns associated with each option for police services available to the City, was adopted by the following vote:

Ayes: ***Councilmembers Quintana, Valencia, Vice-Mayor Harber, Mayor Saleh (4)***
Noes: ***Alvarez (1)***
Abstained: ***None (0)***
Absent: ***None (0)***

MOTION ADOPTED

Following the vote on this item, the Mayor announced, with the consent of the council, that Councilmembers Alvarez and Valencia would serve on the City Council Committee which will work with staff on negotiations with the City of Cudahy.

9. Consideration of the current Municipal Codes on Yard Sales Permits ***(Council)***

Nancy Fong, Interim Director of Community Development, presented the report on the recommendations related to Yard Sales Permits. Following her presentation Council discussion ensued.

Motion by Alvarez, seconded by Vice Mayor Harber to direct staff to administer the current Codes on yard sale permits and to charge a $10 fee for each yard sale permit consistent with the fee schedule, was adopted by the following vote:

Ayes: ***Councilmembers Alvarez, Quintana, Valencia, Vice-Mayor Harber, and Mayor Saleh (5)***
Noes: ***None (0)***
Abstained: ***None (0)***
Absent: ***None (0)***

MOTION UNANIMOUSLY ADOPTED

10. Agreement with UPRR and LAUSD to install automatic at-grade crossing improvements on Pine Street ***(Council)***

    Recommendation:

    That the City Council authorize the City Manager to sign the agreement, (Attachment 1), with UPRR and LAUSD to install automatic at-grade crossing improvements on Pine Street

This item was taken off the Agenda, and continued to an unspecified date

11. Check and Wire Transfer Signing Authority ***(Council)***

Anita Lawrence, Interim Co-Finance Director presented a report on this item. Following her presentation, Council discussion ensued.

Motion by Councilmember Quintana, seconded by Councilmember Alvarez to adopt Resolution No. 2012-32 was adopted by the following vote:

Ayes: ***Councilmembers Alvarez, Quintana, Valencia, Vice-Mayor Harber (4)***
Noes: ***Saleh (1)***
Abstained: ***None (0)***
Absent: ***None (0)***

MOTION ADOPTED

RESOLUTION 2012-32 – A Resolution of the City Council of the City of Bell, California, setting forth check signing and wire and Intra-Bank Transfer Authority.

Communications from the Public on Non-Agenda Matters

Gloria Medina, representing the Bell Chamber of Commerce announced several upcoming events sponsored by the Chamber of Commerce including workshops for the month of April on immigration and social media; Ismael Morales, Nora Saenz, Alma Rico, Dennis Azevedo, Mario

Rivas, Donna Gannon, Fernando Chaverria, Carmen Bello and Willie Aguilar addressed the Council relative to general matters within the jurisdiction of the City Council.

Mayor and City Council Communications

Councilmember Valencia

- Announced that Resident Carmen Bella would be honored by the Bell Residents Club upon the occasion of her being named a Distinguished Woman of the Year
- Announced that April 21st is Earth Day and there would be several events sponsored by the City
- Asked that staff prepare a certificate of citizenship to Hilda Martinez upon the occasion of her retirement

Councilmember Quintana

- Encouraged residents to communicate the importance of the Adult and Career Education Center being constructed in Bell to the Los Angeles Unified School District Board and urge the board to continue adult and career education

Adjournment – 11:21 P.M.

In Memory of Arlene Savage

Next Regular Meeting, Wednesday, April 4, 2012.

I, Patricia Healy, CMC, Interim City Clerk of the City of Bell, certify that the foregoing minutes were approved by the City Council of the City of Bell at a regular meeting held on the 4th day of April, 2012.

_____

Patricia Healy, CMC
Interim City Clerk

General

Warrants for

April 4, 2012

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
49471	03/23/12	120401	VOID VOID-TEST PRINT	0.00
49472	03/23/12	120401	VOID VOID-TEST PRINT	0.00
49473	03/23/12	120401	AT&T-LONG DISTANCE TELEPHONE BILLING-2/1-3/2/12 LONG DISTANCE-VARIOUS ACCOUNTS	26.25
49474	03/23/12	120401	DELTA DENTAL SERVICE DENTAL INS ADM FEE-FEB'12 DENTAL INS CLAIMS-FEB'12	10,153.88
49475	03/23/12	120401	THE GAS COMPANY GAS BILLING-2/13-3/14/12 4357 GAGE AVE-SKB PARK	50.37
49476	03/23/12	120401	KARINA SALAS-PETTY CASH REIMB PETTY CASH REIMB-C.CTR	762.51
49477	03/23/12	120401	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-2/14-3/15 6510 CLARKSON AVE ELECTRICAL BILLING-2/15-3/16 6901 1/2 RIVER DR ELECTRICAL BILLING-2/13-3/15 6800 OTIS TC1 ELECTRICAL BILLING-2/17-3/20/1 4357 GAGE AVE-SKB PARK	631.22
49478	03/23/12	120401	STANDARD INSURANCE COMPANY LIFE/ACCIDENTAL INS-APR'12	1,004.50
49479	03/23/12	120401	VISION SERVICE PLAN (CA) VISION INSURANCE CLAIMS-FEB'12	1,988.03
49480	03/23/12	120401	WELLS FARGO BANK W.C. ACCT REPLENISH CK#6362-81	4,328.07
49481	03/23/12	120401	WELLS FARGO REMITTANCE CENTER CAPIO ANNUAL MEMBERSHIP-M.P.	225.00
49482	03/23/12	120401	WRIGHT EXPRESS FSC GAS CONSUMPTION-1/30-2/28/12 BELL P.D.	8,786.59
49483	03/28/12	120401	CITY OF BELL PAYROLL FUND PAYROLL DEPOSIT-PAY OF 3/30/12	221,795.42
49484	02/29/12	120402	VOID VOID-TEST PRINT	0.00
49485	03/29/12	120402	VOID	0.00

9

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			VOID-TEST PRINT	
49486	03/29/12	120401	GOLDEN STATE WATER COMPANY WATER BILLING-2/21-3/21/12 4400 GAGE AVE	24.03
49487	03/29/12	120401	GRAFFITI CONTROL SYSTEMS GRAFFITI REMOVAL SVCS-MAR'12	5,352.00
49488	03/29/12	120401	HYATT REGENCY SUITES PALM LODGING-4/25-27/12	336.42
49489	03/29/12	120401	PRO CENTRAL TERMITE CONTROL TERMITE CONTROL-5162 FLOREN#15	1,100.00
49490	03/29/12	120401	SJC 3 CONSULTING CONSULTING SVCS-3/1-23/12 CDBG/CDBG-R	3,800.00
49491	03/29/12	120401	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-2/23-3/23 5007 FLORENCE PED	85.52
49492	03/29/12	120401	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-1/24-3/21 VARIOUS STREET LIGHT ACCOUNTS	6,411.58
49493	03/29/12	120401	VISION SERVICE PLAN (CA) VISION INS ADM FEE-APR'12	299.30
49494	03/29/12	120401	WELLS FARGO BANK WC ACCT REPLENISH CK#6382-6407	17,784.95
49495	03/30/12	120402	JUAN ENRIQUE JR. ACOSTA SAFEKEEPING-CASE #11-3250	300.00
49496	03/30/12	120402	MARTHA ALFARO REFUND-BASEBALL A. ALFARO	50.00
49497	03/30/12	120402	ALL ACTION SECURITY SECURITY GUARD SVCS-2/16-29/12	452.81
49498	03/30/12	120402	ALL AMERICAN SPORTSWARE SUBSCRIPTION-SOFTWARE PROGRAM	112.00
49499	03/30/12	120402	ARMANDO JR. ALVAREZ REFUND-BASEBALL	40.00
49500	03/30/12	120402	AMERICAN GUARD SERVICES, INC. CROSSING GUARD SVCS-FEB'12	10,999.18
49501	03/30/12	120402	AMERICAN RELIANCE INC. MOBILE PC MAINT-PATROL/BELL PD MOBILE PC MAINT-PATROL/BELL PD	1,452.31

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
49502	03/30/12	120402	AVERY ASSOCIATES LABOR RELATIONS SVCS-FEB'12 LABOR RELATIONS EXP-JAN'12 LABOR RELATIONS EXP-FEB'12	2,281.65
49503	03/30/12	120402	AZTECA LANDSCAPE LANDSCAPE MAINT-MAR'12 VETS PK	1,300.00
49504	03/30/12	120402	MARITZA E. BARILLAS PEREZ REFUND-PARKING CIT#100013088	143.00
49505	03/30/12	120402	DAVID A. BASS CONSULTING SVCS-2/27-3/20/12 GENERAL & MEETINGS/AUDIT SUPRT GRANTEE REPORTS/RISK MGMNT	6,354.00
49506	03/30/12	120402	BELCHER & ASSOCIATES INTERIM CHIEF OF POLICE DEPT MARCH 16-30, 2012	6,500.00
49507	03/30/12	120402	BELL GLASS SHOP REMOVE DAMAGED SHOWCASE GLASS INSTALL GLASS BELL P.D.	169.78
49508	03/30/12	120402	BOB BARKER COMPANY, INC. MISC SUPPLIES-JAIL	44.88
49509	03/30/12	120402	LUCIA CASTILLO BALLET INSTRUCTOR-2/13-3/22/12	736.00
49510	03/30/12	120402	CHANGE COMMUNITIES CITY CLERK WEBSITE SVCS-FEB'12	300.00
49511	03/30/12	120402	CHATSWORTH GLOVES INC. MISC SUPPLIES-JAIL	973.86
49512	03/30/12	120402	CITY OF INGLEWOOD CITATION PROCESSING-FEB'12	1,355.77
49513	03/30/12	120402	COMMUNICATIONS CENTER NICAD BATTERY PACK RADAR/LIDAR CERTIFICATION-P.D.	705.24
49514	03/30/12	120402	COMSERCO, INC. EQUIPMENT-BELL P.D. BATTERY-P.D. EQUIPMENT BATTERY-P.D. EQUIPMENT TECH SERVICE LABOR BATTERY-PREMIUM NIMH 1500 MAH	1,934.28
49515	03/30/12	120402	CSULB FOUNDATION CANCELLATION FEE-1/24-26/11 JC	25.00

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
49516	03/30/12	120402	DATASTREAM BUSINESS SOLUTIONS, SOFTWARE MAINT AGT-4/1-6/30/12 HP9000 SYSTEM & UTILITIES HP ELOQUENCE HP9000 PROGRAMMING-2/1-29/12 MACIAS 2009-10 AUDIT	2,050.00
49517	03/30/12	120402	VINCENT DIAZ KUNG FU INSTRUCTOR-2/13-3/22	201.60
49518	03/30/12	120402	CARL DIXON REFUND-T.U.P. DEPOSIT #2011-35	500.00
49519	03/30/12	120402	DUNN-EDWARDS CORP. PAINT SUPPLIES-BELL P.D.	96.27
49520	03/30/12	120402	EMERGENCY RESPONSE CRIME SCENE CLEANING & DISINFECTING SVCS BELL P.D. JAIL FACILITY	300.00
49521	03/30/12	120402	EPOCH FILMS LLC REFUND-T.U.P. #2012-01 DEPOSIT	500.00
49522	03/30/12	120402	NORDIS PARENTE BUSINESS CARDS-L.FERRARI	70.69
49523	03/30/12	120402	FEDERAL EXPRESS DELIVERY SVCS-C.CTR	97.86
49524	03/30/12	120402	G4S SECURE SOLUTIONS (USA)INC. JAIL SVCS-BELL P.D/FEB'12	14,889.16
49525	03/30/12	120402	ALFREDO G. GARCIA REFUND-PARKING CIT #100005203	118.00
49526	03/30/12	120402	JAIME GLORIA REFUND-PARKING CIT #4045836	62.00
49527	03/30/12	120402	JASMIN HERNANDEZ REFUND-SOCCER	90.00
49528	03/30/12	120402	IJSS INC. DBA TONERZONE TONER CARTRIDGE-BELL P.D.	167.37
49529	03/30/12	120402	INTELESYS COMMUNICATIONS TELEPHONE MAINT/REPAIR C.H.	260.00
49530	03/30/12	120402	INTERNATIONAL ASSOCIATION OF 2012 MEMBERSHIP DUES	120.00
49531	03/30/12	120402	JOE GARCIA REFUND-PARKING CIT #4022351	71.00
49532	03/30/12	120402	JONES & MAYER	8,777.33

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			LEGAL SVCS-7/2-29/10 P.D. LEGAL SVCS-8/2-25/10 P.D. LEGAL SVCS-9/1-3/10 P.D.	
49533	03/30/12	120402	KELDON PAPER COMPANY PAPER-GENERAL	431.20
49534	03/30/12	120402	LA COUNTY SHERIFF DEPT. FOOD SVCS/CUSTODY-P.D. FEB'12	338.85
49535	03/30/12	120402	LOS ANGELES HARLEY-DAVIDSON MOTORCYCLE MAINT-BELL P.D.	1,070.24
49536	03/30/12	120402	MARTIN AGUILAR REFUND-PARKING CIT #4044785	480.00
49537	03/30/12	120402	DAVID MARTINEZ REFUND-PARKING CIT #100023251	145.00
49538	03/30/12	120402	BILL MCCULLAH REIMB-UNIFORM SHIRT	59.80
49539	03/30/12	120402	JUAN NAVARRETE REFUND-PARKING CIT #100028394	56.50
49540	03/30/12	120402	VOID VOID-PRINTER ERROR	0.00
49541	03/30/12	120402	VOID VOID-PRINTER ERROR	0.00
49542	03/30/12	120402	VOID VOID-PRINTER ERROR	0.00
49543	03/30/12	120402	VOID VOID-PRINTER ERROR	0.00
49544	03/30/12	120402	VOID VOID-PRINTER ERROR	0.00
49545	03/30/12	120402	VOID VOID-PRINTER ERROR	0.00
49546	03/30/12	120402	VOID VOID-TEST PRINT	0.00
49547	03/30/12	120402	VOID VOID-TEST PRINT	0.00
49548	03/30/12	120402	OCE IMAGISTICS INC. COPIER MAINT/SUPPLIES-FEB'12 C.CTR COPIER MAINT/SUPPLIES-FEB'12 LITTLE BEAR PK COPIER MAINT/USAGE-12/1-31/11	815.32

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			BELL P.D. MAINT/SUPPLIES-3/1-5/31/12 CH MAINT/SUPPLIES-3/1-5/31/12CCTR COPIER MAINT/USAGE-2/1-29/12 BELL P.D. COPIER MAINT/USAGE-2/1-29/12 BELL P.D.	
49549	03/30/12	120402	JOSE LUIS ORTIZ REFUND-VETS PAVILLION RENTAL	45.00
49550	03/30/12	120402	PECKHAM & MCKENNEY CHIEF ADMIN OFFICER SEARCH PROFESSIONAL FEE CHIEF ADMIN OFFICER SEARCH	8,539.16
49551	03/30/12	120402	PLAN REVIEW CONSULTANTS, INC. PLAN REVIEW SVCS-PC#457501	2,950.54
49552	03/30/12	120402	QUICK DISPENSE MISC SUPPLIES-BELL P.D. MISC SUPPLIES-BELL P.D.	440.10
49553	03/30/12	120402	QUILL CORPORATION OFFICE SUPPLIES-BELL P.D. OFFICE SUPPLIES-BELL P.D. OFFICE SUPPLIES-CODE ENFOR	317.35
49554	03/30/12	120402	ERIC RAMIREZ REFUND-PARKING CIT #100022862	345.00
49555	03/30/12	120402	RELIA-TECH PATROL EQUIP-CARD READER SERVICE CONTRACT-APR'12 CRIME MAPPING EQUIP-BELL P.D.	3,946.38
49556	03/30/12	120402	JOSEFINA RIVAS AEROBICS INSTRUCTOR-2/13-3/22 VETS PK & LB PK	864.00
49557	03/30/12	120402	RIVERSIDE COUNTY SHERIFF'S TRAINING PAYMENT-L. FERRARI	51.00
49558	03/30/12	120402	RSCC ENGINEERING, INC PW PROJ ADMIN SVCS-1/10-31/12	477.06
49559	03/30/12	120402	SAESHE CAMPAIGN MONITORING/EVALUATION JAN/FEB 2012	2,687.00
49560	03/30/12	120402	SECURITY SIGNAL DEVICES SECURITY ALARM MONITORING 4/1-6/30/12 CCTV SVC CONTRACT-4/1-6/30/12	474.60

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
49561	03/30/12	120402	STATEWIDE TRANSCRIPTION SVCS TRANSCRIPTION SVCS-T. H. /S. F.	41.00
49562	03/30/12	120402	UNIFIED TRANSLATION SERVICES INTERPRETING SVCS-CCM 3/7/12	400.00
49563	03/30/12	120402	UPSELL TRAINING REIMB-EXPS 3/19/12 TRAINING	498.70
49564	03/30/12	120402	ASHLEY N. WIDDICOMBE REFUND-PARKING CIT #4040166	172.00
49565	03/30/12	120402	MUNICIPAL COURT SOUTHEAST COUNTY SURCHARGE-NOV'11 COURT CONST FD /CF CONST FD STATE SURCHARGE-NOV'11 CF/I&CNF CONST FD COUNTY/STATE-HANDICAP STATE/LINKAGE FEE-NOV'11	7,391.10
49566	03/30/12	120402	MUNICIPAL COURT SOUTHEAST COUNTY SURCHARGE-DEC'11 COURT CONST FD/CF CONST FD STATE SURCHARGE-DEC'11 CF/I&CNF CONST FD STATE SHARE PKING REGISTRATION & EQUIPMENT VIOLATIONS-DEC'11 COUNTY/STATE-HANDICAP STATE LINKAGE FEE-DEC'11	8,088.05
49567	03/30/12	120402	MUNICIPAL COURT SOUTHEAST COUNTY SURCHARGE-JAN'12 COURT CONST FD/CF CONST FD STATE SURCHARGE-JAN'12 CF/I&CNF CONST FD STATE SHARE PKING REGISTRATION & EQUIPMENT VIOLATIONS-JAN'12 CCOUNTY/STATE-HANDICAP STATE LINKAGE FEE-JAN'12	11,107.20
49568	03/30/12	120402	MUNICIPAL COURT SOUTHEAST STATE SHARE PKING REGISTRATION & EQUIPMENT VIOLATIONS-OCT'11	2,390.50
TOTAL	98 CHECKS			404,169.33
*W0000672	03/20/12	120403	CITY OF BELL PAYROLL FUND FICA & MEDI TAXES-PAY 3/16/12	10,258.84
W0000673	03/22/12	120403	CAL-PUBLIC EMPLOYEE RETIREMENT RTRMNT PYMT-3/16/12 NORMAL PAY	58,326.53
W0000676	04/01/12	120404	PUBLIC EMPLOYEES' RETIREMENT	106,303.95

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			HEALTH PREMIUM-APR'12	
TOTAL		3 WIRES		174,889.32
TOTAL				579,058.65

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CRA-
Community Redevelopment Agency

Warrants for

April 4, 2012

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
5482	03/20/12	120412	VOID VOID-SAMPLE CHECK	0.00
5483	03/30/12	120412	VOID VOID-TEST PRINT	0.00
5484	03/30/12	120412	VOID VOID-TEST PRINT	0.00
5485	03/30/12	120412	ROSENOW SPEVACEK GROUP PROF SVCS-IMPLEM PLAN 9/28/11 PROF SVCS-ONCALL SVCS 9/19-28/11 PROF SVCS-SUCCESSOR TRANS 2/1-29/12	8,539.10
TOTAL	4 CHECKS			8,539.10

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BCHA - Bell Community Housing Authority

Warrants for

April 4, 2012

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
1797	03/23/12	120421	VOID VOID-TEST PRINT	0.00
1798	03/23/12	120421	VOID VOID-TEST PRINT	0.00
1799	03/23/12	120421	THE GAS COMPANY GAS BILLING-2/9-3/13/12 6304 KING AVE/LAUNDRY-BCHA GAS BILLING-1/1/12-2/9/12 6304 KING AVE/LAUNDRY-BCHA GAS BILLING-2/13-3/14/12 4209 BELL AVE-BCHA GAS BILLING-2/13-3/14/12 6633 PINE AVE/LAUNDRY-BCHA	100.06
1800	03/23/12	120421	GOLDEN STATE WATER COMPANY WATER BILLING-1/25-2/22/12 6419 PROSPECT AVE-BCHA	139.88
1801	03/23/12	120421	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-3/7-3/15/12 6624 FLORA AVE/APT. I-BCHA ELECTRICAL BILLING-3/7-15/12 6714 OTIS AVE-BCHA	30.78
1802	03/23/12	120421	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-2/14-3/15 6633 PINE AVE-BCHA	42.08
1803	03/23/12	120431	THE GAS COMPANY GAS BILLING-2/14-3/14/12 5246 FLORENCE AVE-FVMHP GAS BILLING-2/14-3/14/12 5162 FLORENCE AVE-FVMHP GAS BILLING-2/10-3/12/12 4874 GAGE AVE-BMHP GAS BILLING-2/13-3/14/12 6503 WILCOX AVE-BMHP	2,616.64
1804	03/30/12	120422	VOID VOID-TEST PRINT	0.00
1805	03/30/12	120422	VOID VOID-TEST PRINT	0.00
1806	03/30/12	120422	HECTOR TORRES INSTALLED CARPET-6502 FLORA	514.50
1807	03/30/12	120432	CHRISTINA PENA PETTY CASH REIMB-BCHA	177.03
1808	03/30/12	120432	JOSE L. VENEGAS REFUND-BMHP CLUBHOUSE DEPOSIT	25.00

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CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
1809	03/30/12	120432	VIVOPOOLS HEATER REPAIR-F. VILLAGE	484.49
TOTAL	13 CHECKS			4,130.46
#W0000675	03/28/12	120423	US BANK DEBT SVC PYMT-INTEREST 4/1/12 2005 BCHA LEASE REV BOND	446,303.75
TOTAL	1 WIRES			446,303.75
TOTAL				450,434.21

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City Of Bell
Agenda Report

DATE: March 28, 2012

TO: Mayor and Members of the City Council

FROM: Interim Chief of Police Steven Belcher

APPROVED BY: _____
Arne Croce, Interim Chief Administrative Officer

SUBJECT: 2011 Police Department Records Destruction Resolution

RECOMMENDATION:

Approve the attached resolution authorizing the destruction of police records that are no longer needed per California Government Code section 34090.

BACKGROUND AND DISCUSSION:

California Government Code Sections 34090 et seq. authorizes the destruction of certain obsolete police records after approval by the City Attorney and City Council unless the record is relevant to anticipated claim(s) or litigation. In that instance the record must be retained until there is a resolution of the claim/litigation. This is an update of similar prior resolutions, the last being resolution (2009-6).

The Bell Police Department has a limited area for records storage. It is necessary to destroy obsolete records in order to have sufficient space for current records storage. The destruction of the paper file does not mean that the record is lost, as information is also stored on the Records Management System computer data base.

The City of Bell is currently under court order not to destroy any documents that have evidentiary value in regards to the trial of previous City of Bell Administrators. No documents that fall under the court order are located at the Bell Police Department.

Attached to this report is the council resolution which specifies the retention period for each type of police record covered under this resolution.

CITY ATTORNEY:

The City Attorney has reviewed the attached resolution.

FISCAL IMPACT:

There is no cost associated with the passage of this resolution. Conversely, if the resolution is not passed the police department will not be able to purge obsolete files and will be required to rent off-site space for records storage.

Submitted by:

Steve Belcher
Steve Belcher
Interim Chief of Police

sf

Attachment:

- Resolution of the City Council Approving the Destruction of Obsolete Police Records Pursuant to California Government Code Section 34090

RESOLUTION NO. 2012-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, APPROVING THE DESTRUCTION OF OBSOLETE POLICE RECORDS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 34090.

WHEREAS, the Records Manager of the City of Bell has advised the City Council that certain police records have become obsolete within a specified time; and

WHEREAS, there is a need to periodically purge obsolete records; and

WHEREAS; the City Attorney has approved in writing the destruction schedule hereafter set forth, as shown on Exhibit A attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELL, AS FOLLOWS:

SECTION 1. As authorized by California Government Code_Sections 34090 et seq. and subject to the approval of the City Attorney, the City Council hereby approves the destruction of the following records, unless the record is relevant to anticipated claims(s) or litigation.

a. Traffic Citations which are more than two (2) years old.

b. Dealers Reports of Gun Sales which are more than two (2) years old, and are considered no longer needed.

c. Dealers Reports of Tear Gas Sales which are more than (2) years old, and are considered no longer needed.

d. Bail Receipts which are more than two (2) years old.

e. Miscellaneous Receipts which are more than two (2) years old.

f. Sheriff's Department Transfer Records which are more than two (2) years old.

g. Incident Cards which are more than two (2) years old.

h. Daily Log 24-Hour Records which are more than three (3) years old.

i. Field Interview Records which are more than five (5) years old.

j. Traffic Collision Reports which are more than two (2) years old and are not the basis for criminal charges.

k. Fatal Traffic Collision Reports which are more than ten (10) years old.

l. Crime Reports and supplemental reports of infractions, misdemeanors and felonies which are more than (7) years old, and for which no valid warrant or arrest exists, provided:

(l). They do not relate to an un-adjudicated arrest, except for Section 2, below.

(2). They do not relate to un-served warrants.

(3). They do not relate to identifiable items which have not been recovered.

(4). They do not relate to Penal Code 290 or 457.1, or Health and Safety Code Section 11590 registrants.

(5). They do not relate to a criminal death case.

(6). They do not relate to violations listed in Penal Code Section 799 and 800.

(7). The cases are not presently involved in either civil or criminal litigation.

(8). They do not relate to unresolved Missing Persons Reports.

m. Records of Internal Investigations, including citizen complaints of alleged misconduct and disciplinary records which are more than seven (7) years old.

n. Police Department Communication Tapes which are more than three-hundred sixty-five (365) days old.

o. All Confidential Background Investigations of Police Department applicants who were not hired, which are more than two (2) years old and those of former employees who are not currently employed by the City of Bell, which are more than seven (7) years old from date of separation.

p. Repossession Reports which are more than two (2) years old.

q. Ride-along Waivers which are more than two (2) years old from the date of the last ride-along.

r. Voided Citations which are more than two (2) years old.

s. Parking Cite Correction Letters which are more than two (2) years.

t. Trusty Applications, Contracts and Logs which are more than two (2) years old.

u. Post Reimbursement Requests which are more than two (2) years old.

v. Range Records which are more than two (2) years old.

w. Payroll Stats which are more than seven (7) years old.

x. Non-P.O.S.T. Training Records which are more than five (5) years old.

x. Records deleted by the Department of Justice which are more than two (2) years old.

z. City Employee Fingerprint Applications for employees whose employment ended more than five (5) years ago.

aa. P.O.S.T. Reimbursement Ledgers which are more than two (2) years old.

bb. Special Billings which are more than two (2) years old.

cc. Personnel Orders which are more than five (5) years old.

dd. Police Auction Lists which are more than two (2) years old.

ee. Weapons Destruction Orders and Lists which are more than five (5) years old (provided copies have previously been sent to the Department of Justice).

ff. Fingerprint cards which are more than five (5) years old (provided copies have previously been sent to CAL ID).

gg. Pawn and Second-Hand Property Records which are more than two (2) years old.

hh. Arrest Records pursuant to Health and Safety Code § 11361.5(a) with a conviction date after January 1, 1976 or, arrests, not followed by conviction, for violations of Health and Safety Code 11357(b), (c), (d) or (e) or, 11360(b) which are more than two (2) years old from the date of conviction or arrest.

SECTION 2. No police record described above shall be destroyed except in accordance with the following procedure:

a. No Police record shall be destroyed, other than recordings of telephone and radio communications pursuant to California Government Code §34090.6, prior to the City Attorney's review.

b. The City's Records Manager shall determine which records have been kept for the length of time required by Section 1 of this resolution and are thus no longer needed by the Police Department. The City's Records

Manager shall be the City Clerk or other person designated in writing by the City Clerk.

c. Each year the Police Records Manager shall submit a destruction request in writing to the Chief of Police. The destruction request shall identify each record to be destroyed by type, applicable destruction schedule and age, and shall state the reason each record is no longer needed.

d. Destruction of any record listed in the destruction request shall not occur until the Chief of Police has approved in writing the destruction request. The Chief of Police may remove any record from the destruction request list.

e. Once approval to destroy the record has been given by the Chief of Police, the request shall be forwarded to the City Attorney for their review and approval. Once approved by the Chief of Police and the City Attorney, the Records Manager shall oversee the destruction and shall log the same in a master log kept by the department. The log shall identify by type the applicable destruction schedule and age of each record that was destroyed, the method used and the date of destruction.

f. Any police record no longer required by the City may be destroyed upon the expiration of the minimum retention period set out in Section 1 of this resolution, with the exception of tape recordings of telephone and radio communication which may be destroyed after three-hundred sixty-five (365) days, provided no recording which is evidence in any claim, anticipated, filed or any pending litigation shall be destroyed until the City Attorney has determined that the claim and/or litigation has been resolved. A log shall be kept identifying the type and age of each recording that was destroyed and the date of destruction.

SECTION 3. All prior resolutions regarding policies for destruction of obsolete records of the Police Department are hereby repealed.

SECTION 4. The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

PASSED, APPROVED AND ADOPTED this 4th day of April , 2012.

_____
Ali Saleh, Mayor

APPROVED AS TO FORM:

_____
David Aleshire, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Patricia Healy, Interim City Clerk of the City of Bell, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Bell City Council at its regular meeting held on the 4th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Patricia Healy, Interim City Clerk

City of Bell
Agenda Report

DATE: April 4, 2012

TO: Mayor and Council Members

FROM: Terry Rodriguez, PE, City Engineer

APPROVED By:

Arne Croce, Interim Chief Administrative Officer

SUBJECT: Approve Contract Change Order No.1 for the Filmore Street Project, (04-525-3737-0922), to add Otis Avenue improvements from Florence Avenue to Walnut Street.

RECOMMENDATION:

Staff recommends that the City Council; (1) approve Contract Change Order No.1 in the amount of $73,200 to add Otis Avenue improvements, from Florence Avenue to Walnut Street, to the Fillmore Street Rehabilitation Project, (04-525-3737-0922); and (2) authorize the City Engineer to approve the expenditure of a construction contingency of $7,320 (10%) for other unforeseen construction work, an amount not to exceed $3,500 for engineering design services, and an $3,400 for Construction Management (CM) and inspection, for a total expenditure of $87,420.

BACKGROUND:

Change Order No. 1 relates to extra work to perform improvements on Otis Avenue, from Florence Avenue to Walnut Street, to the Fillmore Street Rehabilitation Project (04-525-3737-0922). The scope of work for Otis Avenue improvements includes asphalt concrete pavement removal, new asphalt concrete overlay, curb & gutter repair, sidewalk repair, new driveway approaches, new handicap ramps and striping, which is the same range of work for the Fillmore Street Project. The Otis Avenue Project was originally budgeted in the amount of $80,000 and was planned to be financed from Prop C - Fund 68.

The block of Otis Avenue from Florence to Walnut has some areas of very poor pavement and it is our desire to complete this project as soon as possible. The addition of this block of Otis to the Filmore Project will save time and money, and get the Otis project done early. The City received favorable bids for the Filmore Project, therefore there is enough money in the Filmore Street Project budget to add the Otis Avenue project with no budget amendment. This will preserve Prop C funds originally slated for Otis for other projects.

As this Change Order is over 10% of the original contract amount it is subject to Council's approval. Staff has reviewed the change order request from the contractor and determined that the amounts estimated in Change Order No.1 are reasonable.

This Filmore Project was proposed to be completed within 45 calendar days after the Notice to Proceed is issued. If approved, Change Order No. 1 will provide for a contract time extension of 23 calendar days due to the additional work for Otis Avenue improvements.

FISCAL IMPACTS:

The Filmore Street Project is funded with $350,000 from Gas Tax Funds under Account No. 04-525-3737-0922. Funding for Change Order No. 1 is available within the Fillmore Street Resurfacing project budget and therefore the $80,000 originally budgeted in Prop C for Otis will be used for other street improvements to be determined at a later date. The Project expenditure summary is provided in the table below.

Project Budget	$350,000 for Fillmore Project	C.O No.1 for Otis Avenue (Est.)
Engineering/Design	$23,700	$3,500
Construction Management	$8,000	$3,400
Construction	$171,294	$73,200
10% Contingency	$17,130	$7,320
Sub-Total	**$220,124**	**$87,420**

Total for Fillmore Street and Otis Avenue	**($220,124 + $87,420) = $307,544**

ATTACHMENTS:

1. Vicinity Map
2. Otis Avenue Engineer's Estimate

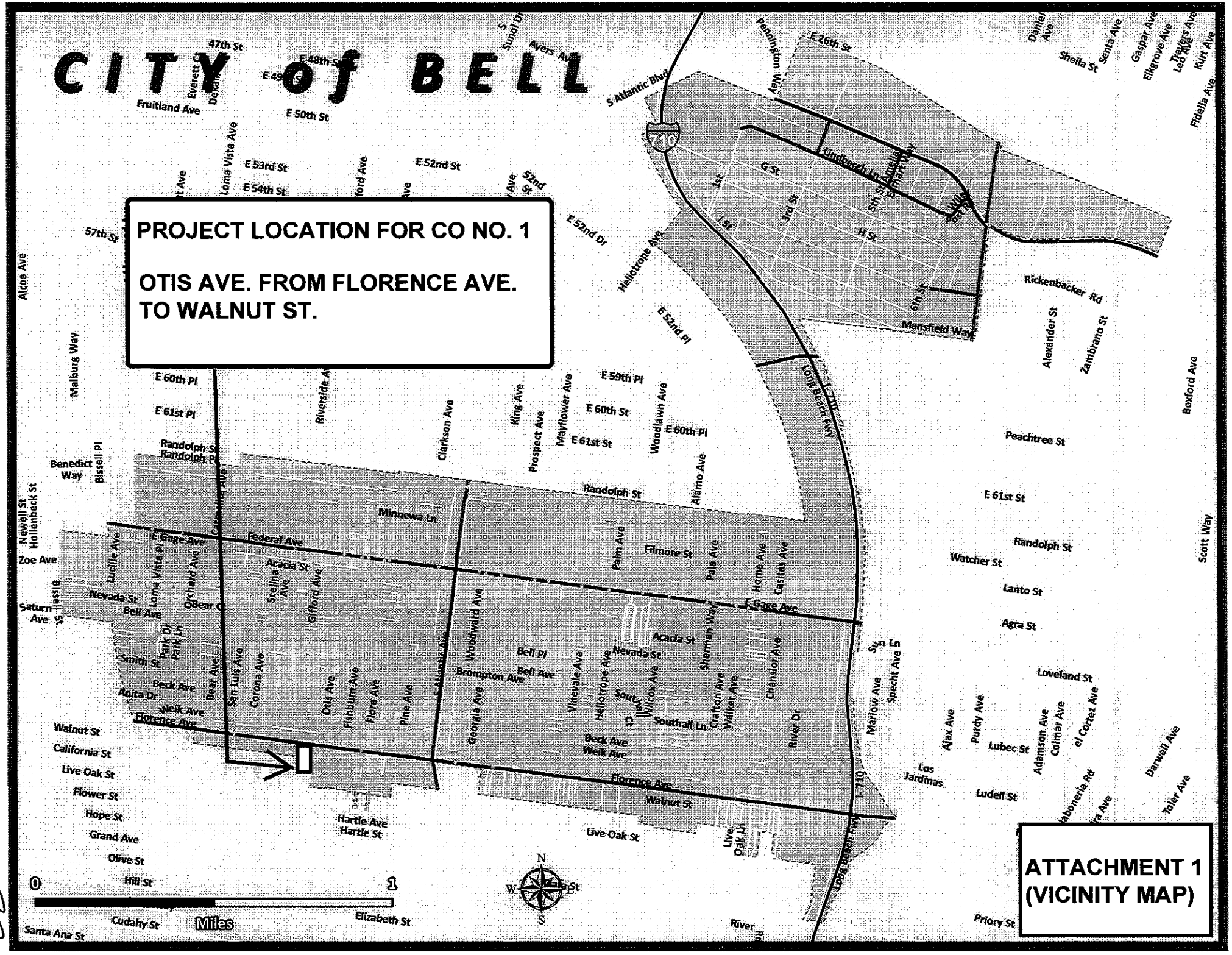
City of Bell

C.O #1 for Otis Avenue Improvements

(From Florence Avenue to Walnut Street)

Request for Quotation #01 - Add Otis between Florence & Walnut

				Estimate	
Bid #	Description	Unit	Qty	Unit Price	Amount
#001	Clearing and Grubbing	L.F.	360	$ 1.49	$ 536.40
#002	Earthwork	L.F.	360	$ 2.10	$ 756.00
#003	Compacted Fill	L.F.	360	$ 0.85	$ 306.00
#004	Cold-Mill	L.F.	360	$ 1.06	$ 381.60
#005	AC Overlay	L.F.	360	$ 26.64	$ 9,590.40
#006	Sidewalk	S.F.	2,505	$ 6.00	$ 15,030.00
#007	R/R Curb & Gutter	L.F.	500	$ 30.00	$ 15,000.00
#008	R/R Driveway	S.F.	2,190	$ 11.00	$ 24,090.00
#009	Truncated Domes	EA.	0	$ 500.00	$ -
#010	Install Parkway Tree	EA.	360	$ 1.40	$ 504.00
#011	Remove Tree	EA.	0	$ 2,000.00	$ -
#012	Adjust Manhole Frame	EA.	3	$ 1,000.00	$ 3,000.00
#013	Adjust Tree Well	EA.	0	$ 100.00	$ -
#014	Paint House #	L.F.	360	$ 1.00	$ 360.00
#015	Traffic Striping	L.F.	360	$ 6.00	$ 2,160.00
#016	Offset Centerline	L.F.	360	$ 4.00	$ 1,440.00
Request for Quotation #01 (Budget)					**$ 73,154.40**


CITY of BELL
PROJECT LOCATION FOR CO NO. 1
OTIS AVE. FROM FLORENCE AVE. TO WALNUT ST.
ATTACHMENT 1 (VICINITY MAP)
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City of Bell
Agenda Report

DATE: April 4, 2012

TO: Mayor and Members of the City Council

FROM: Arne Croce, Interim Chief Administrative Officer

APPROVED BY: _____
Arne Croce, Interim Chief Administrative Officer

SUBJECT: City Council and Expense Reimbursement Policies and Procedures

RECOMMENDATION

Adopt City Council Policies and Procedures and a City Expense Reimbursement Policy

DISCUSSION

Draft City Council Policies and Procedures and a City Expense Reimbursement Policy were reviewed by the City Council as a study item at the Special Council meeting of March 15, 2012. The draft City Council policies and Procedures have been amended to reflect comments by the Council at that meeting. Changes to the draft document include:

- Clarification of the supremacy of the City Charter, ordinances and State law (Page 2)
- Addition of clapping as an inappropriate behavior at Council Meetings (Page 6)
- Expansion of language prohibiting the use of personal communication devices at Council Meetings (Page 6)
- Deletion of recommended policy to not take up new agenda items after 11 pm (Page 9)
- Clarifications to the policy of correspondence from Councilmembers and inclusion of individual Councilmember letterhead (Page 12)
- Clarification on the use of the City logo or other official images (Page 14)

Also reflected in the recommended document in Section 2, City Council Meetings, are: moving public comment on non-agenda items up earlier in the meeting. This will allow attendees to make public comments without needing to wait until the end of the regular meeting; and, clarification on the use of Request to Speak forms. (Pages 7 and 8)

Attached are two forms of the recommended document: one shows the changes made from the draft reviewed on March 15, 2012; the second is a complete document that reflects all changes.

No changes were suggested to the draft City Expense Reimbursement policy. The document recommended for adoption is attached.

BACKGROUND

City Councils typically develop policies and procedures to provide guidance on various aspects of City Council business and to facilitate the efficient fulfillment of the City Council's role. The Recommended Council Policies and Procedures draw from a number of documents used by other cities. It covers major areas that typically benefit from adopted policies and procedures:

- City Council Personal Code of Conduct
- City Council Meetings
- Ad hoc Council Committees
- Council-Staff Assignments
- Potential Conflicts of Interest
- Correspondence from Councilmembers
- Correspondence to Councilmembers
- Representation on external organizations
- Participation in Conferences, Trainings and Educational Events
- Use of City Images

It is not inclusive of all potential areas where policies and procedures may be of value to the Council. Rather it is recommended as a good base document which can be enhanced and further developed as the Council continues to evolve as the City's legislative body.

ATTACHMENTS

Recommended Council Policies and Procedures
Recommended Expense Reimbursement Policy
Track-changes version of Council Policies and Procedures

CITY OF BELL

CITY COUNCIL POLICIES AND PROCEDURES

ADOPTED APRIL 4, 2012

CITY OF BELL

CITY COUNCIL POLICIES AND PROCEDURES

ADOPTED—APRIL 4, 2012

Introduction

The City Council is the democratically elected body for the City of Bell. How the City Council fulfills of this role is governed by the Charter of the City of Bell, ordinances adopted by the City Council and the laws of the State of California and United States government.

The purpose of City Council Policies and Procedures is to facilitate the orderly execution of the Council responsibilities and to present the policies and procedures to be used by the Council to the public. These policies and procedures supplement the City Charter and adopted ordinances. In the event of a conflict, the requirements of the Charter, adopted ordinances and State law supersede these policies and procedures.

Section 1: City Council Personal Code of Conduct

POLICY

The residents and businesses of Bell are entitled to have fair, ethical and accountable local government. Such a government requires that public officials:

- Comply with both the letter and the spirit of the laws and policies affecting operations of the government.
- Be independent, impartial and fair in their judgment and actions.
- Use their public office for the public good, not for personal gain.
- Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

PROCEDURES

To this end, the Bell City Council has adopted this Personal Code of Conduct to encourage public confidence in the integrity of local government and its fair and effective operation.

City Councilmembers shall sign this personal code of conduct at the Council meeting each year when the Council elects the Mayor and Vice Mayor as a symbol of each Councilmember's continuing commitment to abide by the principles of this code.

1. Act in the Public Interest

   Recognizing that stewardship of the public interest must be their primary concern, Councilmembers shall work for the common good of the people of Bell and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

2. Comply with the Law

   Councilmembers shall comply with the laws of the nation, the State of California and the City in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Bell City Charter and Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open processes of government; and City ordinances and policies.

3. Conduct of Members

   Councilmembers shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, staff or the public.

4. Respect for Process

   Councilmember duties shall be performed in accordance with the processes and rules of order established by the City Council.

5. Conduct of Public Meetings

   Councilmembers shall inform themselves of public issues, listen attentively to public discussions before the body and focus on the business at hand.

6. Decisions Based on Merit

   Council decisions shall be based upon the merits and substance of the matter at hand.

7. Communication

   It is the responsibility of Councilmembers to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Councilmembers.

8. Coordination with City Staff

   Appropriate City staff should be informed when Councilmembers meet with officials from other agencies and jurisdictions, or with developers, contractors, vendors or prospective contractors, to ensure proper staff support and to keep staff informed.

9. Disclosure of Suspected Corruption

   All City officials shall take an oath upon assuming office, pledging to uphold the constitution and laws of the City, the State and the Federal government. As part of this oath, officials commit to disclosing to the appropriate authorities and/or to the City Council any behavior or activity that they suspect may qualify as corruption, abuse, fraud, bribery or other violation of the law.

10. Conflict of Interest

In order to assure their independence and impartiality on behalf of the public good, Councilmembers shall not use their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under applicable State law.

In accordance with the law, members shall file written disclosures of their economic interest and if they have a conflict of interest regarding a particular decision, refrain from participating in that decision unless otherwise permitted by law.

11. Gifts and Favors

Councilmembers shall not take advantage of services or opportunities for personal gain by virtue of their public offices that are not available to the public in general. They shall refrain from accepting gifts, favors or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised.

12. Confidential Information

Councilmembers shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or private interests.

13. Use of Public Resources

Public resources not available to the general public (e.g., City staff time, equipment, supplies or facilities) shall not be used by Councilmembers for private gain or personal purposes.

14. Representation of Private Interests

In keeping with their role as stewards of the public trust, Councilmembers shall not appear on behalf of the private interests of a third-party before the City Council of the City.

15. Advocacy

To the best of their ability, Councilmembers shall represent the official policies and positions of the City Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the Council or the City.

16. Improper Influence

Councilmembers shall refrain from using their position to improperly influence the deliberations or decisions of City staff.

17. Policy Role of Members

Councilmembers shall respect and adhere to the Council-Manager structure of the Bell City government as provided in State law and the City Charter and Municipal Code.

18. Positive Work Environment

    Councilmembers shall support the maintenance of a positive and constructive environment for residents, businesses and City employees.

19. Implementation

    Ethics standards shall be included in the regular orientations for City Council candidates. Councilmembers entering office shall sign a statement affirming they read and understood the City of Bell's "City Council Personal Code of Conduct".

20. Compliance and Enforcement

    Councilmembers themselves have the primary responsibility to assure that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of City government.

I affirm that I have read, understand and will comply with the City of Bell City Council Personal Code of Conduct.

_____ _____

Signature Date

Section 2: City Council Meetings

POLICY

It is the policy of the City Council to facilitate the orderly conduct of City business by prescribing a procedural format for the conduct of City Council meetings.

PROCEDURES

Decorum

While the Council is in session, all persons shall conduct themselves with reasonable decorum.

The Mayor or presiding officer shall maintain order and decorum at all meetings of the Council and decide all questions of order; subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order.

Any person who is so disorderly or who so persistently disrupts the business meeting so as to interfere with the proper conduct of the meeting may be ordered to leave the meeting place. At such time, the Mayor will call a recess. In the even the person refuses to leave, the CAO shall direct a police officer to have the person removed.

Unauthorized remarks from the audience, clapping, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Mayor.

If disruptive behavior is of such a level that the Council cannot continue its business, the Mayor shall adjourn the meeting to a closed session to complete the items on the agenda, as provided for by State law.

Councilmembers, staff, and members of the public attending a council meeting shall refrain from using personal electronic devices during the meeting.

Members of the City Council shall be referred to individually as "Mayor" "Vice Mayor" "Councilmember" and collectively as "Councilmembers." Staff members shall be referred to as "Mr." or "Ms."

Agenda

Meetings of the City Council are for consideration of business under the jurisdiction of the City. Items placed on the agenda will be directly related to the fulfillment of the Council's responsibilities as the City's legislative body.

Members of the City Council may place items on the agenda. Councilmember requests will be delivered to the City Clerk one week prior to the publication of the agenda for the meeting where the item will be heard. The City Manager will prepare a tentative agenda for Council meetings. Prior to publication, the City Manager shall review the tentative agenda with the Mayor. The City Clerk shall publish, distribute and post the agenda.

Order of Business

The order of business of each meeting shall be as contained in the Agenda prepared by the City Clerk unless a majority of the City Councilmembers consent to take items out of order. The order of business at meetings of the City Council may be as follows:

1) Closed Session
2) Call to Order
3) Roll Call
4) Pledge of Allegiance
5) Special Presentations and Recognition
6) Public Comment on Items Not on the Agenda
7) Closed Session Report
8) Public Comment on Items on the Agenda
9) Consent Calendar
10) Council Agenda
11) Adjournment

Consent Calendar

Items of routine or generally uncontested nature and non-controversial shall be placed on the Agenda as Consent Calendar and may be approved by the City Council in a single motion by adoption of the Consent Calendar. Approval of the Consent Calendar shall signify the approval of each matter or recommendation therein. All items on the Consent Calendar shall be subject to public comments. Upon the request of any member of the City Council or upon the request of a member of the public made through the Mayor, an item may be removed from the Consent Calendar for separate discussion and/or action. The City Council shall consider the items removed after adoption of the balance of the Consent Calendar, unless the Council determines they be considered elsewhere on the Agenda.

Public Comment

The public shall be afforded the right to comment on every item appearing on the agenda prior to the Council's consideration of that item or during Public Hearings. The following procedures shall be used to facilitate public comment:

a) Public comment on any items on the Council agenda not subject to a required public hearing will be taken at the beginning of the meeting, prior to any Council consideration or action on an item.

b) Public comment on items within the scope of the City's jurisdiction that are not on the agenda will be taken at the beginning of the meeting. Depending on the number of request to speak forms, the Mayor may establish a time limit on the total time devoted to non-agenda items or move the item to the end of the agenda.

c) Request to Speak forms are to be submitted to the City Clerk prior to the beginning of public comment periods. Request to Speak forms are to include the name of the speaker and the topic or agenda item they intend to address. Request to Speak forms will not be accepted by the City Clerk after the first speaker begins his or her/comments.

d) Upon being recognized, members of the public shall only speak when at the podium and shall direct their comments to the entire City Council. Speakers must identify the subject upon which she or he intends to speak, and may state his or her name and address, but shall not be required to give any other information as a condition of speaking

e) The Council may, at its discretion, limit the amount of time allotted to a speaker. Individual speakers shall typically have 3 minutes to address the Council. If there appears to be fifteen (15) or more speakers and the Council might not be able to conclude the scheduled agenda items for that meeting if speakers were allotted three (3) minutes each, the Mayor may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate. The Mayor may extend the speaker time limits as deemed necessary if there is no objection from Council. If there is an objection, a majority vote shall decide the issue without debate. A person whose interest is the subject of the Council action may be afforded more time for presentation and comment than for the public generally.

f) Members of the public shall only speak when at the podium and shall direct their comments to the entire City Council

Conduct of Public Hearings

Public hearings shall be conducted according to the following procedures:

1) Staff presentation.

2) Council questions of clarification to staff.

3) Applicant/appellant presentation

4) Council questions to applicant and/or staff.

5) City Clerk announces whether and correspondence on the item has been received subsequent to the publication of the agenda

6) Open public hearing for comments.

7) Applicant/appellant response to public comments

8) Close of public hearing

9) Staff response to public and applicant/appellant comments

10) Council questions to staff and/or applicant

11) Council discussion.

12) Council motions and voting

Rules of Order

Rosenberg's Rules of Order shall apply if there is no specific Council rule on the subject.

Study Sessions

Study sessions are meetings that are held for the purpose of providing information to the City Council, particularly on issues that are complex and would benefit by in-depth study prior to being placed regular City Council meeting agenda. At study sessions the Councilmembers may state their individual responses and questions to the information provided and further may collectively provide direction to City staff. Final binding decisions of the City Council that approve contracts, projects, ordinances or resolutions and other matters shall not be taken at study sessions of the City Council.

Minutes of the Meeting

Written minutes of the Council shall be kept by the City Clerk and shall become the Official records of the City of Bell provided that the City Clerk shall be required to make a record only of business actually passed upon by a vote of the Council and shall not be required to record any remarks of Councilmembers or of any other person except at the special direction by Council. A record shall be made of the names of persons addressing the Council, the title of the subject matter to which their remarks are related and whether they spoke in support of or in opposition to such matter. The City Clerk shall secure the necessary equipment for recording Council meetings and make recordings available in the current medium when determined to be practical by the City Clerk or as directed by the Council.

Section 3: Ad hoc Council Committees

POLICY

It is the policy of the City Council to appoint a committee of its members when doing so benefits the work of the Council and City. Examples include working with staff to review proposals from contractors for various services, or meeting with a committee of Councilmembers from other cities to discuss common issues.

PROCEDURES

Ad hoc Council committees shall consist of two Councilmembers. Such committees may be formed by Council action or the City Manager. When formed by Council action, the Council will select committee members. When formed by the City Manager, the Manager will ask all Councilmembers of their interest and availability to serve on the committee. The names of all Councilmembers expressing interest will be sent to the Mayor for the selection.

Section 4: Council-Staff Assignments

POLICY

In accordance with the provision of the City Charter, individual Councilmembers may request research and information from the staff, provided such requests do not result in undue amounts of time or resources without concurrence by the Council.

PROCEDURE

Individual Councilmembers members may make requests of City staff or contract staff for research information pertaining to City activities without the formal concurrence of a majority of the member's colleagues, provided, however, that no request without majority concurrence of the Council may exceed 2 hours' staff time.

Section 5: Potential Conflicts of Interest

POLICY

It is the Council's policy to encourage its members to seek the counsel of the City Attorney's Office whenever it appears a councilmember may have a prohibited financial interest in items the City Council may consider, or any city contracts.

PROCEDURE

Whenever it appears to a Councilmember they may have a prohibited financial interest in any city contract, or an item that may be presented to the City Council, the Councilmember should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the City Council and the City Manager.

Section 6: Correspondence from Councilmembers

POLICY

Members of the City Council may occasionally be called upon or wish to write letters to citizens, businesses or other public agencies.

PROCEDURES

1. When the Council has taken a formal position on a policy issue the Mayor will be charged with transmitting the City's position on the matter to outside entities on behalf of the City Council.

2. Correspondence sent on behalf of the Council is placed on official City letterhead and is signed by the Mayor or, if Council directs, by the City Manager. Such letters are Public Records.

3. Individual members of Council will be provided with City letterhead identifying them as Councilmembers. This letterhead, printed in a standard format for all members, may be used to prepare letters to constituents in response to inquiries, to provide requested information or to express personal greetings on behalf of the Councilmember. Staff can assist in the preparation of such correspondence. City letterhead may be used and, whether City letterhead is used or not, Council members are required to place a copy on file in the Office of the City Clerk. Such letters shall be considered Public Records.

4. On occasion, Council members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should use their individual City letterhead and clearly indicate that they are not speaking for the City or for the City Council as a whole, but for themselves as one member of Council.

5. After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized. This is done to avoid confusion.

6. The Mayor may issue proclamations in support of not-for-profit activities and organizations that are generally recognized as doing work that is in the broad community interest. Proclamations shall not be issued for profit ventures and political organizations.

7. City letterhead, including individual Councilmember letterhead, and staff support may not be used for personal or political purposes.

Section 7: Correspondence to Councilmembers

POLICY

All correspondence addressed to members of the City Council at City Hall, with the exception of those marked as "Personal" or Confidential", are public records and are treated as correspondence to the City.

PROCEDURES

Correspondence addressed to the City Council or to individual Councilmembers shall be opened and date stamped by the City Clerk.

Correspondence will be placed in the Councilmembers' boxes at City Hall.

If correspondence to individual Councilmembers pertains to an item that is currently or will be before the City Council, copies of the correspondence will be made for all Councilmembers.

If Council correspondence is inquiring about a City issue or service within the scope of administration, the City Clerk shall route a copy of the correspondence to the appropriate staff member for attention and for a report back to the City Manager.

Section 8: Representation on external organizations

POLICY

The policy of the City is for Councilmembers to engage in external organizations that relate directly to the interests of the City and further good government. Such organizations include councils of government, multi-jurisdictional agencies, and associations of local governments.

PROCEDURE

The Mayor and CAO shall develop a list of external organizations where Councilmember participation is in the City's interest.

Funding for Councilmembers to represent the City in the designated organizations shall be included in the City's budget.

Upon taking office in April, the Mayor shall make the list of assignments available to the Councilmembers providing sufficient time for the Councilmembers to identify those assignments where they would like to be the primary representation or alternate representative.

Upon receipt of the preferences of all Councilmembers, the Mayor shall designate a primary and alternate representative to each organization.

If a Councilmember is appointed or elected to an office of an association that will require travel outside of Southern California on a scheduled basis, the City Manager will prepare a recommended budget for the activity for approval by the City Council.

Section 9: Participation in Conferences, Trainings and Educational Events

POLICY

Councilmembers are encouraged to participate in activities that keep them current on issues of importance to the City and develop their skills as democratically elected representatives and members of the City Council.

PROCEDURES

Funds will be included in the City's budget for Councilmembers to participate in conferences, trainings and educational events.

Councilmembers shall have access to one-fifth of the funds included in the budget to attend activities consistent with their role.

Councilmember participation in events shall be governed by the City's expense reimbursement policy.

Section 10: Use of City Images

POLICY

Use of the City's logo or other images approved by the City Council is solely for official business of the City.

PROCEDURES

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City of Bell, California

CITY OF BELL EXPENSE REIIMBURSEMENT POLICY

ADOPTED BY THE BELL CITY COUNCIL, APRIL 4, 2012

POLICY

The City of Bell establishes a reimbursement policy for Councilmembers, Staff and Advisory Bodies to allow for participation in activities that benefit the City at a reasonable cost.

Authorized Expenses

City funds, equipment, supplies, titles, and staff time must only be used for authorized city business. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

1. Communicating with representatives of regional, state and national government on matters of interest to the City.
2. Meeting with City staff on matters relating to City business.
3. Attending educational seminars designed to improve officials' skill and information levels.
4. Participating in local, regional, state, and national organizations whose activities affect the city's interests.
5. Recognizing the service to the City (for example, thanking a longtime employee with a retirement gift of nominal value).
6. Attending fundraising events for nonprofit entities providing services of benefit to the City and /or its residents.
7. Attending City events.
8. Implementing a City approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member.

All other expenses require prior approval by the City Council.

The City will not reimburse the following expenses:

1. The personal portion of any trip.
2. Political contributions or events.
3. Family expenses, including partner's expenses when accompanying official on agency-related business.
4. Entertainment expenses, such as movies, sporting events, or cultural events.
5. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.

Cost Control

To conserve City resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the City will be limited to the costs that fall within these guidelines.

Transportation

Officials traveling on City business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy.

Automobile

Mileage shall be reimbursed at IRS rates (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

Car Rental

Rental rates that are equal or less than those available through the State of California's website (http://www.catravelsmart.com/default.htm) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

Taxis/Shuttles

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency.

Lodging

Lodging expenses will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay.

Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

Meals

Reimbursable meal expenses and associated gratuities will not exceed the Meals and Incidental daily reimbursement rate established by the Federal General Services Administration (http://www.gsa.gov/portal/category/21287). ($71 per day in March 2012 for the Los Angeles Area)

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The City will not pay for alcohol/personal bar expenses.

Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on City business. Telephone bills should identify which calls were made on City business.

Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for City business.

Airport Parking

Long-term parking must be used for travel exceeding 24 hours.

Expense Reports

Expense reimbursement requests must be submitted on an expense report form provided by the City. Reports must document how the expenditure met the requirements of this policy and be signed by the person requesting reimbursement verifying the accuracy of the request.

Expense reports must be submitted within 30 days of an expense being incurred, and must be accompanied by receipts documenting each expense. It is recognized that sometimes it is not possible or practical to obtain a receipt for meals and incidental expenses. In such cases, the requested reimbursement must not exceed amounts established in this policy for the item

Expense reports are a public record.

Audits of Expenses

All expenses are subject to verification that they comply with this policy.

Violation of this Policy

Under state law, use of public resources or falsifying expense reports in violation of this policy may result in any or all of the following: 1) loss of reimbursement privileges, 2) a demand for restitution to the City, 3) the agency's reporting the expenses as income to the official to state and federal tax authorities, 4) civil penalties of up to $1,000 per day and three times the value of the resources used, and 5) prosecution for misuse of public resources.

CITY OF BELL

~~DRAFT~~ CITY COUNCIL POLICIES AND PROCEDURES

~~PRESENTED AS A STUDY ITEM AT THE~~

ADOPTED ~~MARCH 1~~APRIL 4, 2012 ~~COUNCIL MEETING~~

CITY OF BELL

CITY COUNCIL POLICIES AND PROCEDURES

~~DRAFT~~ADOPTED~~—MARCH 6~~APRIL 4, 2012

Introduction

The City Council is the democratically elected body for the City of Bell. How the City Council fulfills of this role is governed by the Charter of the City of Bell, ordinances adopted by the City Council and the laws of the State of California and United States government.

The purpose of City Council Policies and Procedures is to facilitate the orderly execution of the Council responsibilities and to present the policies and procedures to be used by the Council to the public. ~~Any stated~~ These policies~~y~~ ~~or~~and procedures ~~in this document~~ supplements the ~~requirements of the~~ City Charter and ~~or~~ adopted ordinances. In the event of a conflict, the requirements of the Charter, adopted ordinances and State law supersede these policies and procedures.~~Where there may be conflict between the contents of this document and the Charter, ordinances or State law, those documents are the controlling documents.~~

Section 1: City Council Personal Code of Conduct

POLICY

The residents and businesses of Bell are entitled to have fair, ethical and accountable local government. Such a government requires that public officials:

- Comply with both the letter and the spirit of the laws and policies affecting operations of the government.
- Be independent, impartial and fair in their judgment and actions.
- Use their public office for the public good, not for personal gain.
- Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

PROCEDURES

To this end, the Bell City Council has adopted this Personal Code of Conduct to encourage public confidence in the integrity of local government and its fair and effective operation.

City Councilmembers shall sign this personal code of conduct at the Council meeting each year when the Council elects the Mayor and Vice Mayor as a symbol of each Councilmember's continuing commitment to abide by the principles of this code.

1. Act in the Public Interest

   Recognizing that stewardship of the public interest must be their primary concern, Councilmembers shall work for the common good of the people of Bell and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner.

2. Comply with the Law

   Councilmembers shall comply with the laws of the nation, the State of California and the City in the performance of their public duties. These laws include, but are not limited to: the United States and California constitutions; the Bell City Charter and Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities and open processes of government; and City ordinances and policies.

3. Conduct of Members

   Councilmembers shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, staff or the public.

4. Respect for Process

   Councilmember duties shall be performed in accordance with the processes and rules of order established by the City Council.

5. Conduct of Public Meetings

   Councilmembers shall inform themselves of public issues, listen attentively to public discussions before the body and focus on the business at hand.

6. Decisions Based on Merit

   Council decisions shall be based upon the merits and substance of the matter at hand.

7. Communication

   It is the responsibility of Councilmembers to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Councilmembers.

8. Coordination with City Staff

   Appropriate City staff should be informed when Councilmembers meet with officials from other agencies and jurisdictions, or with developers, contractors, vendors or prospective contractors, to ensure proper staff support and to keep staff informed.

9. Disclosure of Suspected Corruption

   All City officials shall take an oath upon assuming office, pledging to uphold the constitution and laws of the City, the State and the Federal government. As part of this oath, officials commit to disclosing to the appropriate authorities and/or to the City Council any behavior or activity that they suspect may qualify as corruption, abuse, fraud, bribery or other violation of the law.

10. Conflict of Interest

In order to assure their independence and impartiality on behalf of the public good, Councilmembers shall not use their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a conflict of interest under applicable State law.

In accordance with the law, members shall file written disclosures of their economic interest and if they have a conflict of interest regarding a particular decision, refrain from participating in that decision unless otherwise permitted by law.

11. Gifts and Favors

Councilmembers shall not take advantage of services or opportunities for personal gain by virtue of their public offices that are not available to the public in general. They shall refrain from accepting gifts, favors or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised.

12. Confidential Information

Councilmembers shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or private interests.

13. Use of Public Resources

Public resources not available to the general public (e.g., City staff time, equipment, supplies or facilities) shall not be used by Councilmembers for private gain or personal purposes.

14. Representation of Private Interests

In keeping with their role as stewards of the public trust, Councilmembers shall not appear on behalf of the private interests of a third-party before the City Council of the City.

15. Advocacy

To the best of their ability, Councilmembers shall represent the official policies and positions of the City Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the Council or the City.

16. Improper Influence

Councilmembers shall refrain from using their position to improperly influence the deliberations or decisions of City staff.

17. Policy Role of Members

Councilmembers shall respect and adhere to the Council-Manager structure of the Bell City government as provided in State law and the City Charter and Municipal Code.

18. Positive Work Environment

    Councilmembers shall support the maintenance of a positive and constructive environment for residents, businesses and City employees.

19. Implementation

    Ethics standards shall be included in the regular orientations for City Council candidates. Councilmembers entering office shall sign a statement affirming they read and understood the City of Bell's "City Council Personal Code of Conduct".

20. Compliance and Enforcement

    Councilmembers themselves have the primary responsibility to assure that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of City government.

I affirm that I have read, understand and will comply with the City of Bell City Council Personal Code of Conduct.

_____ _____

Signature Date

Section 2: City Council Meetings

POLICY

It is the policy of the City Council to facilitate the orderly conduct of City business by prescribing a procedural format for the conduct of City Council meetings.

PROCEDURES

Decorum

While the Council is in session, all persons shall conduct themselves with reasonable decorum.

The Mayor or presiding officer shall maintain order and decorum at all meetings of the Council and decide all questions of order; subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order.

Any person who is so disorderly or who so persistently disrupts the business meeting so as to interfere with the proper conduct of the meeting may be ordered to leave the meeting place. At such time, the Mayor will call a recess. In the even the person refuses to leave, the CAO shall direct a police officer to have the person removed.

Unauthorized remarks from the audience, clapping, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Mayor.

If disruptive behavior is of such a level that the Council cannot continue its business, the Mayor shall adjourn the meeting to a closed session to complete the items on the agenda, as provided for by State law.

Councilmembers , staff ,and members of the public attending a council meeting shall refrain from using personal electronic devices during the meeting.

Members of the City Council shall be referred to individually as "Mayor" "Vice Mayor" "Councilmember" and collectively as "Councilmembers." Staff members shall be referred to as "Mr." or "Ms."

Agenda

Meetings of the City Council are for consideration of business under the jurisdiction of the City. Items placed on the agenda will be directly related to the fulfillment of the Council's responsibilities as the City's legislative body.

Members of the City Council may place items on the agenda. Councilmember requests will be delivered to the City Clerk one week prior to the publication of the agenda for the meeting where the item will be heard. The City Manager will prepare a tentative agenda for Council meetings. Prior to publication, the City Manager shall review the tentative agenda with the Mayor. The City Clerk shall publish, distribute and post the agenda.

Order of Business

The order of business of each meeting shall be as contained in the Agenda prepared by the City Clerk unless a majority of the City Councilmembers consent to take items out of order. The order of business at meetings of the City Council may be as follows:

1) Closed Session

2) Call to Order

3) Roll Call

4) Pledge of Allegiance

~~5) Closed Session Report~~

5) Special Presentations and Recognition

6) Public Comment on Items Not on the Agenda

~~6)~~7) Closed Session Report

~~7)~~8) Public Comment on Items on the Agenda

~~8)~~9) Consent Calendar

~~9)~~10) Council Agenda

~~10) Public Comment on Items Not on the Agenda~~

11) Adjournment

Consent Calendar

Items of routine or generally uncontested nature and non-controversial shall be placed on the Agenda as Consent Calendar and may be approved by the City Council in a single motion by adoption of the Consent Calendar. Approval of the Consent Calendar shall signify the approval of each matter or recommendation therein. All items on the Consent Calendar shall be subject to public comments. Upon the request of any member of the City Council or upon the request of a member of the public made through the Mayor, an item may be removed from the Consent Calendar for separate discussion and/or action. The City Council shall consider the items removed after adoption of the balance of the Consent Calendar, unless the Council determines they be considered elsewhere on the Agenda.

Public Comment

The public shall be afforded the right to comment on every item appearing on the agenda prior to the Council's consideration of that item or during Public Hearings. The following procedures shall be used to facilitate public comment:

a) Public comment on any items on the Council agenda not subject to a required public hearing will be taken at the beginning of the meeting, prior to any Council consideration or action on an item.

b) Public comment on items within the scope of the City's jurisdiction that are not on the agenda will be taken at the beginning of the meeting. Depending on the number of request to speak forms, the Mayor may establish a time limit on the total time devoted to non-agenda items or move the item to the end of the agenda.~~after completion of the Agenda, unless a majority of the Council agrees to take public comment at beginning or the end of the meeting.~~

~~b)~~c) Request to Speak forms are to be submitted to the City Clerk prior to the beginning of public comment periods. Request to Speak forms are to include the name of the speaker and the topic or agenda item they intend to address. Request to Speak forms will not be accepted by the City Clerk after the first speaker begins his or her/comments.

~~c)~~d) Upon being recognized, members of the public shall only speak when at the podium and shall direct their comments to the entire City Council. Speakers must identify the subject upon which she or he intends to speak, and may state his or her name and address, but shall not be required to give any other information as a condition of speaking

~~d)~~e) The Council may, at its discretion, limit the amount of time allotted to a speaker. Individual speakers shall typically have 3 minutes to address the Council. If there appears to be fifteen (15) or more speakers and the Council might not be able to conclude the scheduled agenda items for that meeting if speakers were allotted three (3) minutes each, the Mayor may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate. The Mayor may extend the speaker time limits as deemed necessary if there is no objection from Council. If there is an objection, a majority vote shall decide the issue without debate. A person whose interest is the subject of the Council action may be afforded more time for presentation and comment than for the public generally.

~~e)~~f) Members of the public shall only speak when at the podium and shall direct their comments to the entire City Council

Conduct of Public Hearings

Public hearings shall be conducted according to the following procedures:

1) Staff presentation.

2) Council questions of clarification to staff.

3) Applicant/appellant presentation

4) Council questions to applicant and/or staff.

5) City Clerk announces whether and correspondence on the item has been received subsequent to the publication of the agenda

6) Open public hearing for comments.

7) Applicant/appellant response to public comments

8) Close of public hearing

9) Staff response to public and applicant/appellant comments

10) Council questions to staff and/or applicant

11) Council discussion.

12) Council motions and voting

~~Miscellaneous~~ Rules of Order

a) Rosenberg's Rules of Order shall apply if there is no specific Council rule on the subject.

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~~b) Unless a majority of the Council determines there is an urgent need to act, no items shall be opened for discussion or action after 11:00 p.m. The consideration of items already opened shall continue until conclusion and the remaining items on the agenda shall be continued to a later date to be determined by the Council.~~

Study Sessions

Study sessions are meetings that are held for the purpose of providing information to the City Council, particularly on issues that are complex and would benefit by in-depth study prior to being placed regular City Council meeting agenda. At study sessions the Councilmembers may state their individual responses and questions to the information provided and further may collectively provide direction to City staff. Final binding decisions of the City Council that

approve contracts, projects, ordinances or resolutions and other matters shall not be taken at study sessions of the City Council.

Minutes of the Meeting

Written minutes of the Council shall be kept by the City Clerk and shall become the Official records of the City of Bell provided that the City Clerk shall be required to make a record only of business actually passed upon by a vote of the Council and shall not be required to record any remarks of Councilmembers or of any other person except at the special direction by Council. A record shall be made of the names of persons addressing the Council, the title of the subject matter to which their remarks are related and whether they spoke in support of or in opposition to such matter. The City Clerk shall secure the necessary equipment for recording Council meetings and make recordings available in the current medium when determined to be practical by the City Clerk or as directed by the Council.

Section 3: Ad hoc Council Committees

POLICY

It is the policy of the City Council to appoint a committee of its members when doing so benefits the work of the Council and City. Examples include working with staff to review proposals from contractors for various services, or meeting with a committee of Councilmembers from other cities to discuss common issues.

PROCEDURES

Ad hoc Council committees shall consist of two Councilmembers. Such committees may be formed by Council action or the City Manager. When formed by Council action, the Council will select committee members. When formed by the City Manager, the Manager will ask all Councilmembers of their interest and availability to serve on the committee. The names of all Councilmembers expressing interest will be sent to the Mayor for the selection.

Section 4: Council-Staff Assignments

POLICY

In accordance with the provision of the City Charter, individual Councilmembers may request research and information from the staff, provided such requests do not result in undue amounts of time or resources without concurrence by the Council.

PROCEDURE

Individual Councilmembers members may make requests of City staff or contract staff for research information pertaining to City activities without the formal concurrence of a majority of the member's colleagues, provided, however, that no request without majority concurrence of the Council may exceed 2 hours' staff time.

Section 5: Potential Conflicts of Interest

POLICY

It is the Council's policy to encourage its members to seek the counsel of the City Attorney's Office whenever it appears a councilmember may have a prohibited financial interest in items the City Council may consider, or any city contracts.

PROCEDURE

Whenever it appears to a Councilmember they may have a prohibited financial interest in any city contract, or an item that may be presented to the City Council, the Councilmember should consult with the City Attorney at the earliest opportunity for advice on whether a disqualifying conflict of interest exists. If the City Attorney is consulted on such a matter, the City Attorney shall provide their advice in writing, and shall provide a copy of their opinion to the City Council and the City Manager.

Section 6: Correspondence from Councilmembers

POLICY

Members of the City Council may occasionally be called upon or wish to write letters to citizens, businesses or other public agencies.

PROCEDURES

1. When the Council has taken a formal position on a policy issue the Mayor will be charged with transmitting the City's position on the matter to outside entities on behalf of the City Council.

2. Correspondence sent on behalf of the Council is placed on official City letterhead and is signed by the Mayor or, if Council directs, by the City Manager. Such letters are Public Records.

3. Individual members of Council will be provided with City letterhead identifying them as Councilmembers. This letterhead, printed in a standard format for all members, may be used to prepare letters to constituents in response to inquiries, ~~or~~ to provide requested information or to express personal greetings on behalf of the Councilmember. Staff can assist in the preparation of such correspondence. City letterhead may be used and, whether City letterhead is used or not, Council members are required to place a copy on file in the Office of the City Clerk. Such letters shall be considered Public Records.

4. On occasion, Council members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should use their ~~personalized~~individual City letterhead and clearly indicate that they are not speaking for the City or for the City Council as a whole, but for themselves as one member of Council.

5. After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title, and staff support should not be utilized. This is done to avoid confusion.

6. The Mayor may issue proclamations in support of not-for-profit activities and organizations that are generally recognized as doing work that is in the broad community interest. Proclamations shall not be issued for profit ventures and political organizations.

7. City letterhead, including individual Councilmember letterhead, and staff support may not be used for personal or political purposes.

Section 7: Correspondence to Councilmembers

POLICY

All correspondence addressed to members of the City Council at City Hall, with the exception of those marked as "Personal" or Confidential", are public records and are treated as correspondence to the City.

PROCEDURES

Correspondence addressed to the City Council or to individual Councilmembers shall be opened and date stamped by the City Clerk.

Correspondence will be placed in the Councilmembers' boxes at City Hall.

If correspondence to individual Councilmembers pertains to an item that is currently or will be before the City Council, copies of the correspondence will be made for all Councilmembers.

If Council correspondence is inquiring about a City issue or service within the scope of administration, the City Clerk shall route a copy of the correspondence to the appropriate staff member for attention and for a report back to the City Manager.

Section 8: Representation on external organizations

POLICY

The policy of the City is for Councilmembers to engage in external organizations that relate directly to the interests of the City and further good government. Such organizations include councils of government, multi-jurisdictional agencies, and associations of local governments.

PROCEDURE

The Mayor and CAO shall develop a list of external organizations where Councilmember participation is in the City's interest.

Funding for Councilmembers to represent the City in the designated organizations shall be included in the City's budget.

Upon taking office in April, the Mayor shall make the list of assignments available to the Councilmembers providing sufficient time for the Councilmembers to identify those assignments where they would like to be the primary representation or alternate representative.

Upon receipt of the preferences of all Councilmembers, the Mayor shall designate a primary and alternate representative to each organization.

If a Councilmember is appointed or elected to an office of an association that will require travel outside of Southern California on a scheduled basis, the City Manager will prepare a recommended budget for the activity for approval by the City Council.

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ITEM # 8 WAS PLACED ON THE AGENDA PURSUANT TO A REQUEST BY COUNCILMEMBER VALENCIA

ATTACHED FOR INFORMATIONAL PURPOSES IS A COPY OF THE STAFF REPORT PRESENTED AND ADOPTED AT THE CITY COUNCIL MEETING OF 3/21/2012

City of Bell
Agenda Report

DATE: March 21, 2012

TO: Mayor and Members of the City Council

FROM: Nancy Fong, AICP, Interim Community Development Director

APPROVED BY: Arne Croce, Interim City Manager

SUBJECT: Consideration of the Current Municipal Codes on Yard Sales Permits

RECOMMENDATION:

Direct staff to administer the current Codes on yard sale permits and to charge $10 fee for each yard sale permit consistent with the fee schedule.

BACKGROUND:

At the February 25, 2012 regular meeting, Councilmember Alvarez reported that she has observed the weekend yard sales are occurring more often and at more places in the City. She raised concerns that the city could become a perpetual yard sales city, which will have a negative affect to the image of the city. Councilmember Alvarez requested a report on the proliferation of yard sales and the recommendations to alleviate the problems.

ANALYSIS AND DISCUSSION:

A. Current Municipal Codes on Yard Sales:

Current Bell Municipal Code Section17.16.030 allows one yard sale permit per six-month period. This is equivalent to two yard sales a calendar year for each property in the City. The fee for the yard sale permit is $10 per permit. Approximately in 2009, city staff was directed by the former administrator to allow up to four yard sale permits a calendar year for each property and to waive the permit fee. Staff has researched the City Council minutes and actions for the past 3 years and did not find any action or direction by the previous City Council to support the direction of the former administrator.

B. Current Yard Sale Permit Process:

The applicant comes to the Finance Department in City Hall and completes an application form. Finance staff will review the application against past issuance of yard sale permits for the applicant's address in a log book. If the address has been issued 4 yard sale permits, then staff will not issued another permit for that address. The homeowner or residents would have to wait for a new calendar year to begin the request for yard sale permits. Additionally, staff will check for the proof of residency with a picture identification and a copy of a utility bill. The reason for a copy of the utility bill is to ensure that the applicant is residing at the address listed on the application form, and that the yard sales is truly for a resident or homeowner to sell off unwanted items stored

AGENDA ITEM NO.

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in the garage. To use the yard sales as a business and/or to sell new items or products are not allowed according to the Municipal Code.

By Friday of each week, Finance staff will prepare a list of yard sale permits and addresses and give the list to the Code Compliance staff for routine inspections to confirm that the addresses did have a yard sale for the weekend and that the yard sales are of used items. If the Code Compliance staff found non-compliance such as the selling of new products or products that are not allowed, the extending of hours for the yard sales beyond 6 pm, the posting of too many yard sale signs, etc., then the Code Compliance staff will issue a Notice of Violation. Further the Code Compliance officer may require the resident or homeowner to cease the operation of the yard sale immediately.

C. Problems and Issues with Yard Sales:

There are problems and issues inherent in yard sales. Homeowners or residents have the tendencies of conducting more yard sales than allowed or they would bring in new products and other not allowed items for the yard sales. The frequencies of the yard sales could turn into a business. It is unfair for business owners who have "brick and motor" stores, abide by the rules, pay the taxes and then have to compete with yard sales businesses. Sometimes visitors to yard sales are not very courteous to the neighborhoods in that they will park wherever or whenever and may block the streets or driveways. This becomes a nuisance and an annoyance to the neighborhood, which is not fair to the neighbors. Having too may yard sales in too many properties in the city could lead to a negative perception of the quality of neighborhoods.

Month - Year	No. of Yard Sale Permit
November - 2011	78
December - 2011	137
January - 2012	126
February - 2012	149
March – 2012 (2 wks)	92
total	581

Between November 2011 and mid-March 2012, the total number of yard sale permits issued by the city is 581 permits. This is equivalent to approximately an average of 129 yard sale permits per month for the weekends and about 32 yard sale permits per weekend. The majority of the yard sale permits was issued most often to these streets as follows: Bear, Bell, California, Crafton, Fishburn, Heliotrope, Gifford, King, Loma Vista, Orchard, Otis, Randolph, Walker, and Woodward. According to the 2010 Census, City has a population of 35,477 and the total number of legal properties is 4141 parcels.

Staff conducted a quick phone survey of 5 surrounding cities regarding the subject of yard sale permits and to compare whether the average number of monthly yard sale permit is above or below the surveyed cities.

City	Average Yard Sales/month	Restrictions	Population	# Housing Units
Bell	129	2 permits/property/year (allow up to 4 permits in practice)	35,477**	9,217**
Downey	445	2 permits/resident/year	111,772	35,601
Paramount	58	1 permit/property/year	54,098	14,571
Carson	36	2 permits/property/year	91,714	26,226
Norwalk	126	2 permits/resident/year	105,549	28,083

(** Based on US 2010 Census)

The above surveyed cities have similar restrictions on the number of permitted yard sale permits except that City of Bell has allowed up to 4 yard sale permits per year. Some surveyed cities have no formal permitting process, rather they have established specific weekends, typically once every quarter, when residents are allowed to have yard sales. For the surveyed cities, the enforcement of yard sale permit only requires periodic monitoring. Because the City has been allowing up to 4 yard sale permits per year, the number of yard sale permits issued were significantly higher than cities within the surrounding area, with the exception of the City of Downey.

D. Fiscal and Resources Impact to City:

Typically, it may take a minimum of 15 minutes for staff to review, check and log in an application for the yard sale permit. The Code Compliance officer on duty for the weekend may take between 15 minutes to half an hour for visiting and checking each property with a yard sale permit for compliance. The $10 fee does not pay for the Finance and Code Compliance staff time for the yard sale permit.

E. Conclusion and Recommendation:

The primary issue is that the City Council should discuss whether the City should fall back onto the current Municipal Code which allows one yard sale permit per six-month period for a legal property. The secondary issue is that the yard sale permit should be issued to a property and not to a dwelling unit. This would prevent multiple yard sales on the same property because of multiple units, which in essence the property could become a perpetual yard sales.

City Council may wish to discuss the appropriateness of the fee for a yard sale permit. As mention above, the $10 fee will not cover the staff time in handling each permit. However, the subject of fees in general should be a separate discussion item as it may lead to policy decisions by the City Council for a full Fee Study that may involve the assistance of a consultant. In general, the increase of the fee for yard sale permit may discourage a homeowner or resident from having a yard sale, but it could also have the opposite effect in that the homeowner or resident may just conduct a yard sale without a permit.

Staff recommends that the City Council direct staff to administer the current Codes on yard sales, which is one yard sale permit per six-month period and that a yard sale permit should be issued to a legal property and not by the individual units within the

same property. Staff recommends that the $10 fee should be collected for the yard sale permit consistent with the fee schedule. With administering the current Codes on yard sales, staff believes that the number could be reduced. Staff has refined and improved the informational notice for Yard Sale Permit and the Application Form. The new notice and form will have Spanish version.

ATTACHMENTS:

1. Current information notice for Yard Sale Permit
2. Draft New informational notice for Yard Sale Permit
3. Current Yard Sale Permit Form
4. Draft New Yard Sale Permit Application Form
5. Yard Sale Permit to be displayed at property (no change)

YARD SALE PERMIT

THE YARD SALE PERMIT PROCESS, PLEASE HAVE THE FOLLOWING ACCESSIBLE FOR ISSUANCE OF PERMIT:

1. California driver license or California Identification
2. A Utility Bill (Edison, Gas, Telephone, Water)

IMPORTANT-Both the identification card and utility bill must have the same information. If they do not match, please provide two (2) utility bills showing proof of current residency with name matching the identification card.

PERMISO PARA VENTA DE GARAJE

PARA FACILITAR EL PROCESO DEL PERMISO PARA VENTA DE GARAJE, POR FAVOR TENGA LOS SIGUINTES DOMCUMENTOS A MANO CUANDO APLIQUE POR EL PERMISO:

1. Licencia de Conducir o Tarjeta do Identificacion del Estado de California
2. Un Recibo de la Edison, Gas, Telefono o Agua

IMPORTANTE-El nombre y la direccion en la Licencia o Identificacion y en el recibo deben de ser iguales. Si no son iguales, presente dos (2) recibos con el nombre de la Licencia o Identificacion y la direccion donde vive actualmente.

YARD SALE PERMITS ARE ISSUED FROM 8:00AM TO 3:30 PM MONDAY-FRIDAY
LOS PERMISOS DE VENTA DE GARAJE SE EXTIENDEN DE LUNES A VIERNES DE 8:00AM A 3:30PM

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Dear Applicant:

In the past Years City staff, as directed by former administrator, has been flexible in allowing up to four yard sale permits for each address and the $10 permit fee was waived. However, the current Bell Municipal Code Section 17.16.030E allows only one yard sale per six-month period for a property. The fee for the yard sale permit is $10 per permit.

Per the direction of current City Council, staff is to administer the current Codes on yard sale permit effective immediately and as follows:

1. One yard sale permit per six-month period for each legal property.

2. Property or properties with multiple units but constitute a single residential complex or compound will be issued one yard sale permit per six-month period. The Property Manager and/or residents of the residential complex or compound should consider the coordination of the date for a yard sale permit.

3. The permit fee is $10 for each permit as listed in current fee schedule.

Attached to this notice is the Yard Sale Permit Application Form for your use. If you need further information or assistance, please call Planning Division at 323-588-6211.

DRAFT COPY

Working Together to Promote and Maintain an Attractive Community
You can help by...

City of Bell Yard Sale Permit

Owner Name: _____ ID/Driver Lic# _____

ID Address: _____ 2nd ID Address: Telephone/Gas/Light

Issue Date: _____ Sale Dates _____

The under signed is the owner/tenant of the above real property and has applied for a Yard Sale Permit for the sale of personal property subject to the following conditions pursuant to Bell Zoning Regulations, Section 17.16.030 (E).

1. No person shall sell or offer to sell at a garage/yard sale any personal property unless they have obtained a permit from the City.
2. The terms of the permit are:
   a. The applicant has paid the established processing fee of $10; and
   b. All of the personal property to be sold is his/her property. SELLING CONSIGNED PROPERTY IS PROHIBITED.
3. A citation may be issued on sales without a permit. Violator may be cited up to $1,000 plus penalties.
4. Applicant may be issued a permit every six (6) months.
5. A permit shall only be valid for two (2) consecutive weekend days as noted on the permit.
6. The hours of sales may be from 6 a.m. to 6 p.m. on assigned days: Property may be displayed only during these hours.
7. These provisions shall not apply to sale of personal property made under a court order.
8. Sale of the following is prohibited: new items, live animals, food, tobacco products, alcoholic beverages, weapons, controlled substances or any item which are illegal to possess.
9. Temporary signs posted the day(s) of the sale shall not exceed nine square feet in overall size and applicant may have only two (2) signs. Signs must be removed **Immediately** after the sale. Signs shall **NOT** be posted on telephone poles, trees, public property or public rights-of-way.
10. The City of Bell Permit shall be displayed at the site so that it is clearly visible to the public.
11. Any person who violates or fails to comply with any provision stated herein is guilty of an infraction.

My signature on this permit indicates that I agree to the conditions listed above.

_____ _____

Applicant's Signature Approved By

_____

Cash Receipt No

YARD SALE PERMIT
APPLICATION FORM

City of Bell, 6330 Pine Ave, Bell, CA 90201, (323) 588-6211

Application Date: _____ Proposed Sale Date(s): _____

Address: _____
Proof of Residency is required: Please Bring Picture ID and One Utility Bill to Show City Staff

Property Owner Name: _____ Phone: _____

Applicant Name: _____ Phone: _____
(If Different Than Legal Property Owner Name)

The under signed is the owner and/or tenant of the above referenced real property, and has applied for a Yard Sale Permit as defined on the Bell Municipal Code for the sale of personal property. **Pursuant to Bell Zoning Code(s) Section(s) 17.16.030 (E), 17.20.030 (E), and 17.24.030 (E), Restrictions and Permit Requirements for Garage and Yard Sales**, all activities are subject to the following provisions:

1. No person shall sell or offer to sell at a yard sale any personal property unless a permit has been approved and issued by the City of Bell.
2. Approved permits are valid for two (2) consecutive weekend days as noted on this application.
3. The permit shall be displayed/posted at an inconspicuous location clearly visible from the public right of way at the above noted address.
4. The hours of display and sales of personal items are 6:00 am to 6:00 pm on the proposed and approved dates only.
5. Two (2) temporary signs may be posted at the location of the yard sale on the dates of the sale **ONLY**. Signs shall not be posted on public property or right of ways, utility poles or city trees. Signs shall not exceed nine (9) square feet in overall size. All signs shall be removed immediately after the sale.
6. All personal property being sold shall be personal property. **SELLING CONSIGNED PROPERTY/ITEMS IS PROHIBITED, NO EXCEPTIONS.**
7. **THE SALE OF THE FOLLOWING ITEMS IS STRICTLY PROHIBITED: NEW ITEMS/MERCHANDISE, LIVE ANIMALS, FOOD, TOBACCO PRODUCTS, ALCOHOLIC BEVERAGES, WEAPONS, AND CONTROLLED OR ILLEGAL SUBSTANCES.**
8. Any person violating or failing to comply with any of the provisions stated herein shall be subject to the general penalty under BMC Section 1.16.010. **IF A VIOLATION IS OBSERVE**
9. **D BY A CITY CODE COMPLIANCE OFFICER, A PERMIT MAY BE REVOKED AND ALL SALES SHALL CEASE IMMEDIATELY.**
10. The listed provisions shall not apply to court ordered sale of personal property.

Affidavit: I declare, under penalty of perjury, by signing this application that I understand and agree to abide by all the provisions listed above. I understand that any violation of the aforementioned conditions will be sufficient cause of revoking this permit.

_____ _____
Applicant's Signature Date

FOR OFFICE USE ONLY
Residency Verification: ☐ Picture ID ☐ Phone Bill ☐ Gas Bill ☐ Electricity Bill ☐ Water Bill
Verified/Approved By: _____ Date: _____ Fee Paid: _____

DRAFT COPY

YARD SALE PERMIT

Name:
ADDRESS:
DATE OF SALE:
ISSUED BY:

NOTE: RAINCHECKS WILL BE PROVIDED DUE TO UNFORESEEN WEATHER CONDITIONS ONLY FOR DAYS AFFECTED.
****

The under signed is the owner/tenant of the above real property and applied for a permit for the sale of personal property subject to the following conditions pursuant to Bell Zoning Regulations, Section 17.16.030 (E).

1. No person shall sell or offer to sell at a garage/yard sale any personal property unless they have obtained a permit from the city.
2. The terms of the permit are:
   a. The applicant has paid the established processing fee of $10; and
   b. All of the personal property to be sold is his/her property. SELLING CONSIGNED PROPERTY IS PROHIBITED.
3. A citation may be issued on sales without a permit. Violator may be cited up to $1,000 plus penalties.
4. Applicant may be issued a permit every six (6) months.
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7. These provisions shall not apply to sale of personal property made under a court order.
8. Sale of the following is prohibited: new items, live animals, food, tobacco products, alcoholic beverages, weapons, controlled substances or any item which are illegal to possess.
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10. The City of Bell Permit shall be displayed at the site so that it is clearly visible to the public.
11. Any person who violates or fails to comply with any provision stated herein is guilty of an infraction.
12. My signature on this permit indicates that I agree to the items listed above.