



City Council Agenda

Regular Meeting

Wednesday, October 26, 2011

6:30 PM-Closed Session

7:30 PM 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 welcomes 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.

Regularly City Council meetings are held the second and fourth 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.

*Meeting of
Bell City Council
Bell Community Redevelopment Agency
Bell Community Housing Authority
Planning Commission*

*October 26, 2011
6:30 P.M. Closed Session
7:30 P.M. Open Session*

*Bell Community Center
6250 Pine Avenue*

I. Call to Order

1.01 Roll call of City Council in their capacities as Councilmembers, Community Redevelopment Agency Members, Community Housing Authority Commissioners and Planning Commissioners.

Ms. Alvarez _____
Ms. Quintana _____
Mr. Harber _____
Mr. Valencia _____
Mr. Saleh _____

II. 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 Section III, Closed Session.

III. Closed Session

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

3.01 CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Sipple v. Alameda; LASC BC432270*

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

3.03 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*

3.04 CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (8)

*Meeting of
Bell City Council
Bell Community Redevelopment Agency
Bell Community Housing Authority
Planning Commission
October 26, 2011*

IV. Pledge of Allegiance

- 4.01** Pledge of Allegiance to the Flag led by Byron Barahona, Bell High School Football Team Captain.

V. Presentations

- 5.01** Presentation to the Bell High School Football Team for Winning the Mayor's Trophy Against South Gate High School.
- 5.02** Presentation on I-710 Local Advisory Committee.

VI. Communications From The Public on Agenda Items Only

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

State law prohibits the Council and/or its related authorities and agencies from taking any action on a matter not on this Agenda. Any matter may be referred to the Interim Chief Administrative Officer to submit a report to the Council and/or its related authorities and agencies at the next meeting.

Persons wishing to address the Council and/or its related authorities and agencies during "Communications from the Public" must submit a request on the "blue form" provided by the City Clerk; these requests may be submitted at any time before the beginning of Communications from the Public; provided, however, that requests must be submitted prior to the beginning of the first speaker's remarks.

VII. Council Business

The following items have no legal publication requirements. Pursuant to the Ralph M. Brown Act, public comments may be received on these items prior to the time action is taken by the City Council.

- 7.01** Consideration of Special Bell City Council Minutes and Bell City Council and Bell Community Housing Authority Minutes dated August 24, 2011. 1-13

Recommendation: Approve the minutes.

- 7.02** Consideration of General Warrants, Community Redevelopment Warrants and Community Housing Authority Warrants dated October 12, 2011 through October 26, 2011. 14-26

Recommendation: Approve the warrants.

- 7.03** Consideration of Extension of Services Agreement for West Coast Arborists, Inc. from July 1- June 30, 2012 27-46

Recommendation: Authorize the Interim CAO to execute an agreement with West Coast Arborist Inc. (WCA) to extend the City's tree maintenance agreement through June 30, 2012 at the rates included in Exhibit "A" of the agreement.

- 7.04 Consideration of an Ordinance and Accompanying Urgency Measure to Commit the City of Bell to Annual Remittances to the County Auditor-Controller in Compliance with ABX1 27. 47-61

Recommendation: Adopt the proposed urgency ordinance no. 1181; and introduce the proposed companion regular ordinance no. 1182 to continue the existence of the Bell Community Redevelopment Agency and commit the City to pay annual remittances to the Los Angeles County Auditor-Controller in accordance with ABIX 27.

- 7.05 Consideration of the Notice of Completion for the Florence Avenue Rehabilitation Project from Wilcox Avenue to Walker Avenue. 62-63

Recommendation: Approve and accept all road rehabilitation work performed under this contract with Sully Miller and file the Notice of Completion.

- 7.06 Approval of Contract with CPS for a Classification and Compensation Study 64-81DDDD

Recommendation: Authorize the Interim Chief Administrative Officer to execute an agreement with CPS (Cooperative Personnel Services) not to exceed \$34,000 to conduct a Classification and Compensation study for the City of Bell.

- 7.07 Consideration of an Appropriations Adjustment applying \$57,482.32 in 2007 General Obligation Bond Proceeds to the Veterans' Memorial Park Playground Resurfacing Project 82-83

Recommendation: Approve an Appropriations Adjustment recognizing \$57,482.32 in 2007 General Obligation Bond Proceeds (account no. 50-103) and allocating the funds to Veterans' Memorial Park for playground surface repairs (account no. 50-521-1006-0925).

VIII. Planning Commission

The Bell Planning Commission will convene to conduct their business meeting. Pursuant to the Ralph M. Brown Act public comments may be received on agenda items prior to the Board of Directors taking action.

- 8.01 Consideration of Resolution No. 2011-42 Approving Conditional Use Permit 2011-02 to Allow a Religious Worship and Education Center known as Bell Islamic Center; Location 5232-5250 Gage Avenue, Bell, CA 90201. 84-139

Recommendation: Adopt the resolution and approve the conditional use permit.

The following items have been posted as a Public Hearing as required by law. The Chair will open the Public Hearing to receive testimony from the members of the public.

- 8.02 Consideration of Resolution No. 2011-47 Approving a Conditional Use Permit No. 2011-06 to Consider a Determination of Public Convenience or Necessity to Allow the Sale for Off-premises 140-171

Meeting of
Bell City Council
Bell Community Redevelopment Agency
Bell Community Housing Authority
Planning Commission
October 26, 2011

Consumption of Beer and Wine at a Proposed Retail Grocery Located within an Existing 4,000 Square Foot Building on an 11,362 Square Foot Lot: Location: 6399 Atlantic Avenue, Bell, CA 90201.

Recommendation: Review the application, the public hearing be conducted and adopt the resolution.

IX. Communications From The Public

This is the time, members of the public may address the City Council, Community Redevelopment Agency, the Community Housing Authority, the Public Finance Authority and the Bell Solid Waste Authority 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 any action on a matter not on this Agenda. Any matter may be referred to the Interim Chief Administrative Officer to submit a report to the Council at the next meeting.

Each person who addresses the Council must do so in an orderly manner and must not make personal, impertinent, slanderous or profane remarks to any member of the council, staff or general public. Any person who makes such remarks, or utters loud, threatening, personal or abusive language or who engages in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting will, at the discretion of the presiding officer or a majority of the Council, be barred from further audience before the Council during that meeting.

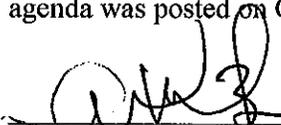
X. Mayor and City Council Communications

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.

XI. Adjournment

Next Regular Meeting, Wednesday November 9, 2011 at 6:30 P.M.

I, Rebecca Valdez, CMC, City Clerk of the City of Bell, certify that a true, accurate copy of the foregoing agenda was posted on October 21, 2011 Seventy-Two (72) hours prior to the meeting as required by law.



Rebecca Valdez, CMC
City Clerk

Meeting of
Bell City Council
Bell Community Redevelopment Agency
Bell Community Housing Authority
Planning Commission
October 26, 2011

*Special Minutes of
Bell City Council*

*August 24, 2011
6:00 PM*

*Bell Community Center
6250 Pine Avenue*

Meeting was called to order by Mayor Saleh at 6:10:43 PM.

Pledge of Allegiance led by Councilman Valencia.

Roll call of City Council in their capacities as Councilmembers.

6:11:26 PM

Present: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia

Absent: None

Also Present: Interim Chief Administrative Officer Hampian, City Attorney
Aleshire, City Clerk Valdez and Captain Miranda

Communications From The Public on Closed Session Items

None.

Closed Session

6:13:10 PM The City Council and the related Authorities and Agencies recessed to a closed session to confer with legal counsel regarding the following matters:

CONFERENCE WITH LEGAL COUNSEL--Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (3)

City Council reconvened to open session at 7:04:59 PM.

7:04:58 PM City Attorney Aleshire provided a report from closed session: discussed one item on exposure to litigation and there was no reportable action taken.

Adjournment

Special City Council meeting adjourned at 7:05:07 PM.

APPROVED THIS 26th DAY OF OCTOBER 2011.

Ali Saleh, Mayor

ATTEST:

Rebecca Valdez, CMC, City Clerk

I, Rebecca Valdez, City Clerk of the City of Bell, California, do hereby certify that the foregoing minutes were approved by the City Council of the City of Bell at a regular meeting held on this 26th day of October 2011 by the following vote.

AYES:

NAES:

ABSTAIN:

ABSENT:

Rebecca Valdez, CMC, City Clerk

*Minutes of
Bell City Council
Bell Community Redevelopment Agency
Bell Community Housing Authority
Planning Commission*

*August 24, 2011
7:00 PM*

*Bell Community Center
6250 Pine Avenue*

Meeting was called to order by Mayor Saleh at 7:05:26 PM.

7:05:32 PM Pledge of Allegiance led by Councilman Valencia.

7:08:34 PM Roll call of City Council in their capacities as Councilmembers, Community Redevelopment Agency Members, Community Housing Authority Commissioners and Planning Commissioners.

Present: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia

Absent: None

Also Present: Interim Chief Administrative Officer Hampian, City Attorney Aleshire, City Clerk Valdez, City Engineer Alvarado and Captain Miranda

Presentations

Certificates of Appreciation to the League of California Cities, the International City & County Management Association and the California City Management Foundation for outstanding and generous support to the City of Bell.

Presentation of the CHP "10851" awards to Bell Police Officers John Walker, Jesse Garcia, and Chris Donahue for their Efforts in Auto Theft Investigations and Apprehensions.

Communications From The Public on Agenda Items Only

7:20:59 PM Jose Vasquez, Bell Business Association, thanked Ken Hampian for his work in the City of Bell and presented a plaque and welcomed Arne Croce.

7:26:45 PM Richard Espiritu, no address stated, expressed concern about the RFP and raised issues on the starting time.

7:30:13 PM Alfred Areyan, 7008 Vinevale Avenue, expressed concern about the RFP and past administration.

7:33:19 PM Efrain Solis, 6507 Heliotrope Avenue, expressed regarding the increase in water rates.

Council Business

7:37:01 PM It was moved by Councilman Valencia, seconded by Councilwoman Alvarez, to approve the Interim Chief Administrative Officer Agreement with Arne Croce and authorized the Mayor to execute.

7:37:33 PM

Vote:	5-0
Yes:	Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No:	None
Abstained:	None
Absent:	None

Motion Unanimously Passed.

It was moved by Councilwoman Quintana, seconded by Vice Mayor Harber, to approve Resolution No. 2011-34 and adopt the Annual Appropriations Limit for the Fiscal Year 2011-2012.

7:42:07 PM

Vote:	5-0
Yes:	Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No:	None
Abstained:	None
Absent:	None

Motion Unanimously Passed.

7:54:58 PM Discussion ensued among the City Council regarding the Fiscal Year 2011-2012 Budget.

8:17:43 PM It was moved by Councilman Valencia, seconded by Councilwoman Alvarez, to adopt Resolution No. 2011-37 and adopt the Fiscal Year 2011-2012 Budget.

8:16:15 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

8:16:26 PM Discussion ensued among the City Council, Interim CAO Hampian and City Attorney Aleshire regarding the City Levy Bonds and Bond and Note Debt Review.

8:49:29 PM Miguel Angel Contreras, no address stated, expressed concern about the taxes.

8:53:07 PM Donna Gannon, 6601 Prospect Avenue, expressed concern about the taxes being raised, the high salaries, and the pension benefits.

8:55:29 PM Jose Magallon, 6227 Vinevale Avenue, expressed concern about implementing taxes.

8:57:45 PM Juliana Chico, 6920 Woodward Avenue, expressed concern about the taxes.

8:59:34 PM Rosario Aguiniga, 6316 Corona Avenue, expressed concern about the salaries at city hall and expressed concern about the services being provided.

9:02:40 PM Maria Arezmendin, 4630 Weik Avenue, expressed concern about the taxes and the full time employees getting paid high salaries. Requested the Council to do something good for the community and make a change.

9:05:48 PM Nelida Sanchez, no address stated, expressed concern about the city's situation.

9:07:14 PM Carmen Bella, 6332 Palm Avenue, welcomed the new ICAO. She expressed concern about the past administration and projects proposed.

9:10:55 PM Sonia Manzanilla, 5111 Southhall Lane, expressed concern about the situation the city is currently in.

9:14:19 PM Nora Saenz, no address stated, expressed concern about the taxes being proposed, is requesting for all city employees to have a salary reduction and requested the Council to forfeit their benefits.

9:18:41 PM Heliodoro Delgadillo, 7014 Vinevale Avenue, expressed concern about the taxes.

9:20:39 PM Richard Espiritu, no address stated, expressed concern resolution 2011-38.

9:24:45 PM Lorenzo Martinez, 6319 Loma Vista Avenue, welcomed Dave Aleshire and Mr. Arne Croce. Expressed concern about the taxes and stated that there are other issues that need to be address like the salaries.

9:28:04 PM Coco Ceja, 6936 Prospect Avenue, expressed concern about the bonds and recommended the Council to consider the idea of bankruptcy. She recommended to work out an agreement with the bond holders.

9:32:34 PM Ignacio Marquez, 7027 Crafton Avenue, expressed concern about the taxes and the salaries.

9:34:06 PM Alma Rico, 6207 Wilcox Avenue, thanked Mr. Hampian and welcomed Mr. Croce. She expressed concern about the budgeted amount in the skate park, and the services that were cut to the community.

9:38:12 PM Mayor Saleh requested Mr. Croce to look into the services that were cut.

9:38:36 PM Ismael Morales, no address stated, expressed concern about the property taxes, salaries and pensions.

9:42:12 PM City council recessed

9:53:41 PM City Council reconvened to open session.

9:53:57 PM Mr. Croce introduced himself to the community.

9:58:28 PM Jose Moreno, no address stated, welcomed Mr. Croce and expressed concern about the bonds, salaries, expenses and benefits.

10:04:22 PM Alfred Areyan, 7008 Vinevale Avenue, welcomed Mr. Aleshire and Mr. Croce, expressed concern about the taxes, bonds and the money spent by the past administration.

10:06:54 PM Poly Rico, no address stated, expressed concern about the taxes, bonds and salaries. He requested the Council to consider filing for bankruptcy.

10:10:38 PM Mario Rivas, no address stated, expressed concern about the taxes. Requested the Council to come up with a plan in lowering taxes as the City of Maywood did and expressed concern about the city going into bankruptcy.

10:14:00 PM Arturo Lopez, 6800 Pala Avenue, thanked the City Council, expressed concern about the taxes.

10:16:40 PM Nora Saenz, no address stated, expressed concern about the recession and bonds.

10:18:38 PM Discussion ensued among the City Council.

10:45:47 PM It was moved by Councilman Valencia, seconded by Councilwoman Quintana, to approve the workout plan on the City Levy Bonds and Bond Note Debt Review.

10:46:06 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

10:48:04 PM It was moved by Vice Mayor Harber, seconded by Councilwoman Alvarez, to adopt resolution no. 2011-38 setting the annual property tax levy rate for the Pension Revenue Obligations.

10:49:43 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

10:54:33 PM It was moved by Councilwoman Alvarez, seconded by Vice Mayor Harber, to approve the Amendment to Professional Services Agreement for Community Development Block Grant (CDBG) Asbestos and Lead Contractor.

10:55:17 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez,
Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

It was moved by Councilwoman Quintana, seconded by Vice Mayor Harber, to adopt Resolution No. 2011-35 approving the One-Time Waiver of the Orangeline Development Authority (OLDA) Membership Dues for Fiscal Year 2011-2012.

10:57:40 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

10:58:33 PM It was moved by Councilman Valencia, seconded by Councilwoman Quintana, to approve the Notice of Completion for the Resurfacing Improvement Project at Veterans Memorial Park.

10:59:25 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

11:04:45 PM It was moved by Councilman Valencia, seconded by Mayor Saleh, to approve the Bell City Council, Bell Redevelopment Agency, Bell Community Housing Authority and Planning Commission Minutes dated July 13, 2011.

11:05:16 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

11:11:47 PM It was moved by Councilman Valencia, seconded by Vice Mayor Harber, to approve Resolution No. 2011-36 Setting the Dates and Times of the City Council's Regular Meetings for September 2011.

11:12:26 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

11:12:33 PM Discussion ensued among the City Council regarding the warrants.

11:24:46 PM It was moved by Mayor Saleh, seconded by Councilman Valencia, to approve the Warrants dated August 10-24, 2011 and pulled warrant no. 48300 made payable to Gateway Cities with the directive to send out a letter to Gateway Cities requesting them to waive the fees.

11:25:24 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

11:29:18 PM It was moved by Councilwoman Quintana, seconded by Councilman Valencia, to approve to terminate the current para-transit and public works RFPs that are in circulation. Directed the Interim CAO to prepare improved RFPs for para-transit and public works services for distribution to a larger list of potential providers, after review and approval by the City Council, and extend the submittal deadline for the RFP for city engineering services to Friday, September 30, 2011.

11:30:07 PM

Vote: 5-0
Yes: Mayor Saleh, Vice Mayor Harber, Councilwoman Alvarez, Councilwoman Quintana and Councilman Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

Community Redevelopment Agency

11:31:22 PM The Bell Community Redevelopment Agency convened to conduct their business meeting.

11:35:04 PM It was moved by Councilwoman Quintana, seconded by Councilman Valencia, to approve and authorize the Executive Director to Approve and Submit Enforceable Obligation Payment Schedule on Behalf of the Agency.

Vote: 5-0
Yes: Chair Saleh, Vice Chair Harber, Agency Member Alvarez,
Agency Member Quintana and Agency Member Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

No items were identified for the next Community Redevelopment meeting.

Community Housing Authority

11:36:19 PM The Bell Community Housing Authority convened to conduct their business meeting.

It was moved by Councilwoman Quintana, seconded by Councilman Valencia, to approve the Warrants dated August 10-24, 2011.

Vote: 5-0
Yes: Chair Saleh, Vice Chair Harber, Commissioner Alvarez,
Commissioner Quintana and Commissioner Valencia
No: None
Abstained: None
Absent: None

Motion Unanimously Passed.

No items were identified for the next Community Housing Authority.

Planning Commission

11:37:44 PM The Bell Planning Commission convened to conduct their business meeting.

11:37:47 PM Commissioner Valencia requested the Planning Commission to have community members be the Planning Commission.

11:38:30 PM Mr. Croce address Commissioner Valencia's request.

11:39:01 PM Commissioner Quintana, stated that the charter states the City Council serves as the Planning Commission.

Closed Session

11:40:01 PM The City Council and the related Authorities and Agencies recessed to a closed session to confer with legal counsel regarding the following matters:

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

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *McSweeney v. Bell*; LASC BC406337

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Corcoran v. Bell*; LASC BC442280

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Mann and Cook v. Hernandez*; LASC BC454053

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

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Ramirez v. County of Los Angeles*; USDC 11-CV-04057-JHN-MAN

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Camargo v. City of Bell*; LASC 11C00168

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Granite State Insurance Co. v. City of Bell*; LASC 10C02353

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Montebello USD v. County of Los Angeles, et al.*; LASC BS127286

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Los Angeles Community College District v. County of Los Angeles, et al.*; LASC BS130308

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Gormley v. City of Bell*; LASC BS130380

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Community Housing Authority v. Lahti*; LASC HP09U01500

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Subdivision (a) of Section 54956.9);
Name of case: *Community Housing Authority v. Gonzalez*; LASC 10U01242

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (12 (including 10 unlawful detainer cases))

CONFERENCE WITH LEGAL COUNSEL--Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (5)

City Council reconvened to open session at 12:53:26 AM.

12:53:34 AM City Attorney Aleshire provided a report from closed session items: staff reports were given on each item, no reportable actions taken.

Communications From The Public

None.

Identification of Items for Next City Council Meeting.

12:54:58 AM Councilman Valencia reminded the Council and residents of declaring 10/28/11 as National Immigrants Day.

12:55:24 AM Councilwoman Quintana informed the Councils and residents that Mayor Ali Saleh and Christina Garcia were honored as democrats of the year.

Mayor and City Council Communications

Vice Mayor Harber informed the Council that he will not be in at the next meeting.

Adjournment

City Council meeting adjourned at 12:56:34 AM.

APPROVED THIS 26th DAY OF OCTOBER 2011.

Ali Saleh, Mayor

ATTEST:

Rebecca Valdez, CMC, City Clerk

I, Rebecca Valdez, City Clerk of the City of Bell, California, do hereby certify that the foregoing minutes were approved by the City Council of the City of Bell at a regular meeting held on this 26th day of October 2011 by the following vote.

AYES:

NAES:

ABSTAIN:

ABSENT:

Rebecca Valdez, CMC, City Clerk

General

Warrants

for

October 12-26, 2011

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
48566	10/12/11	111004	CITY OF BELL PAYROLL FUND PAYROLL DEPOSIT-PAY 10/14/11	213,420.30
48567	10/12/11	111004	WELLS FARGO BANK W. C. ACCT REPLENISH CK#6070-75	2,427.74
48568	10/19/11	111004	VOID VOID-TEST PRINT	0.00
48569	10/19/11	111004	VOID VOID-TEST PRINT	0.00
48570	10/19/11	111004	AT&T TELEPHONE BILLING-9/2-10/1/11 6330 PINE AVE-MTA EQUIPMENT	41.74
48571	10/19/11	111004	AT&T TELEPHONE BILLING-8/27-9/26/11 BELL P. D.	281.27
48572	10/19/11	111004	AT&T-LONG DISTANCE TELEPHONE BILLING-9/7-30/11 LONG DISTANCE-VARIOUS ACCOUNTS	9.25
48573	10/19/11	111004	CALIFORNIA WATER SERVICE WATER BILLING-8/27-9/29/11 BNDNI-AMLAERHT WATER BILLING-8/27-9/29/11 RICKBKE & EASTERN	495.58
48574	10/19/11	111004	DELTA DENTAL SERVICE DELTA INS ADM FEE-SEP'11 DELTA INS CLAIMS-SEP'11 DELTA INS CLAIMS-JUL/AUG'11	6,774.69
48575	10/19/11	111004	GOLDEN STATE WATER COMPANY WATER BILLING	289.07
48576	10/19/11	111004	KARINA SALAS-PETTY CASH REIMB PETTY CASH REIMB-COMMUNITY CTR	28.16
48577	10/19/11	111004	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-9/1-10/1/11 VARIOUS STREET LIGHT ACCOUNTS ELECTRICAL BILLING-9/1-10/3/11 6590 WILCOX PED	2,543.28
48578	10/19/11	111004	VISION SERVICE PLAN (CA) VISION INS AD FEE-OCT'11	390.00
48579	10/19/11	111004	WELLS FARGO BANK W. C. ACCT REPLENISH CK#6076-82	3,365.12
48580	10/26/11	111005	VOID	0.00

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			VOID-TEST PRINT	
48581	10/26/11	111005	VOID VOID-TEST PRINT	0.00
48582	10/26/11	111005	MUNICIPAL COURT SOUTHEAST COUNTY SURCHARGE-JUL'11 COURT CONST FD-GC 76100 COUNTY SURCHARGE-JUL'11 CF CONST FD-GC 76101 STATE SURCHARGE-JUL'11 I&CNF CONST FD-GC 70372b STATE SURCHARGE-JUL'11 CF CONST FD-GC 70372b STATE SURCHARGE-JUL'11 COURT FD-GC 70000.3 STATE SHARE PARKING REGIST & EQUIPMNET VIOLATIONS-JUL'11 COUNTY/STATE-HANDICAP STATE LINKAGE FEE-JUL'11	8,493.00
48583	10/26/11	111005	MUNICIPAL COURT SOUTHEAST STATE SURCHARGE-AUG'11 I&CNF CONST FD-GC 70372b STATE SURCHARGE-AUG'11 CF CONST FD-GC 70372b STATE SURCHARGE-AUG'11 COURT FD-GC 70000.3 STATE SHARE PARKING REGIST & EQUIPMENT VIOLATIONS-AUG'11 COUNTY/STATE HANDICAP STATE LINKAGE FEE-AUG'11 COUNTY SURCHARGE-AUG'11 COURT CONST FD-GC 76100 COUNTY SURCHARGE-AUG'11 CF CONST FD-GC 76101	8,379.50
48584	10/26/11	111005	VOID VOID-TEST PRINT	0.00
48585	10/26/11	111005	VOID VOID-TEST PRINT	0.00
48586	10/26/11	111005	ALESHIRE & WYNDER, LLP LEGAL SVCS-GENERAL 8/1-31/11 LEGAL SVCS-SP PROJ 8/1-31/11 LEGAL SVCS-LITIGATION 8/1-31 LEGAL SVCS-PRSNEL/LBR 8/1-31 LEGAL SVCS-PLANNING 7/28-8/29 LEGAL SVCS-PW/ENG 8/1-31/11 LEGAL SVCS-POLICE 8/3-31/11 LEGAL SVCS-CODE ENF 8/3-25/11 LEGAL SVCS-REDVLPMT 8/4-26/11 LEGAL SVCS-REFUSE 8/2-31/11 LEGAL SVCS-FCHSE/CABLE 8/1-31	90,153.10

16

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			SUBSISTENCE-10/3-5/11	
48593	10/26/11	111005	LUCIA CASTILLO BALLET INSTRUCTOR-9/26-10/1/11	780.00
48594	10/26/11	111005	CITY OF INGLEWOOD CITATION PROCESSING-AUG'11	1,526.76
48595	10/26/11	111005	COMSERCO, INC. MAINTENANCE BILLING-OCT'11 BELL P. D.	1,071.00
48596	10/26/11	111005	CONSOLIDATED DISPOSAL WASTE/RECYCLING SVCS-SEP'11	96,389.66
48597	10/26/11	111005	ARNE GROCE INTERIM CAD SVCS-10/1-15/11	7,000.00
48598	10/26/11	111005	CSG CONSULTANTS, INC. PLAN CHECK SVCS-8/31 & 9/26 PC#45425, 45467	269.78
48599	10/26/11	111005	DAILY JOURNAL CORP. HEARING NOTICE-CUP#2011-04 HEARING NOTICE-CUP#2011-05	603.19
48600	10/26/11	111005	COUNTY OF LOS ANGELES ANIMAL HOUSING SVCS-SEP'11	7,392.89
48601	10/26/11	111005	DEPT. OF CONSERVATION SMIP FEE REPORT-7/1-9/30/11	196.65
48602	10/26/11	111005	DEPARTMENT OF JUSTICE FINGERPRINT SVCS-JUN'10 FINGERPRINT SVCS-OCT'10 FINGERPRINT SVCS-DEC'10 FINGERPRINT SVCS-JAN'11 FINGERPRINT SVCS-FEB'11 FINGERPRINT SVCS-MAR'11 FINGERPRINT SVCS-MAY'11 FINGERPRINT SVCS-JUN'11 FINGERPRINT SVCS-AUG'11	1,619.00
48603	10/26/11	111005	DEPARTMENT OF JUSTICE FINGERPRINT SVCS-APR'11	32.00
48604	10/26/11	111005	VINCENT DIAZ KUNG FU INSTRUCTOR-9/27-11/3	275.20
48605	10/26/11	111005	DUNN-EDWARDS CORP. PAINT SUPPLIES PAINT SUPPLIES PAINT SUPPLIES PAINT SUPPLIES	625.45

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
48606	10/26/11	111005	ECHO FIRE PROTECTION CO. ANSUL FIRE SYS SERVICE-C. CTR	126.10
48607	10/26/11	111005	NORDIS PARENTE RECEIPT BOOK-PARKING ADMIN	309.93
48608	10/26/11	111005	FEDERAL EXPRESS DELIVERY SVCS-CITY CLERK 9/23	35.11
48609	10/26/11	111005	INTEGRATED OFFICE TECHNOLOGY COPIER MAINT-ADMIN SVCS 1ST QTR '11 7/16-10/16/11 COPIER MAINT-ADMIN SVCS 2ND QTR '11 10/16/11-1/16/12	1,180.18
48610	10/26/11	111005	INTELESYS COMMUNICATIONS TELEPHONE MAINT-FRONT DESK	99.00
48611	10/26/11	111005	INTERWEST CONSULTING GROUP INC PLAN REVIEW SVCS-JUL '11 P. C #45345, 45343, 45337, 45305	515.72
48612	10/26/11	111005	LA GUADALUPANA MEAT MARKET REFUND-T. U. P. #10-31 DEPOSIT	500.00
48613	10/26/11	111005	LAC+USC MEDICAL CENTER MEDICAL SVCS-8/29/11 A. LOPEZ 8/31/11 G. MILLAN	930.00
48614	10/26/11	111005	LEAD TECH ENVIRONMENTAL LEAD/ABESTOS TESTING 4874 E. GAGE AVE #23 I. HINDJOS	589.00
48615	10/26/11	111005	MEDINA CONSTRUCTION 25% TAX WITHHELD ORDER LANDSCAPE MAINT-OCT '11 RIVER BED-GAGE TO LIVE OAK LANDSCAPING MAINT-OCT '11 C. CTR FACILITIES/LITTLE BEAR , DEBS, SKB PARKS/WOODLAWN PKING LOT/GAGE-CLARKSON & ATLANTIC PW/GENERAL MAINT SVCS-OCT '11 SEWER MAINT SVCS-4656 BELL AVE	21,731.25
48616	10/26/11	111005	MUNICIPAL COURT SOUTHEAST COUNTY SURCHARGE-SEP '11 COURT CONST FD-GC 76100 COUNTY SURCHARGE-SEP '11 CF CONST FD-GC 76101 STATE SURCHARGE-SEP '11 I&CNF CONST FD-GC 70372b STATE SURCHARGE-SEP '11 CF CONST FD-GC 70372b STATE SURCHARGE-SEP '11	9,541.10

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			COURT FD-GC 70000.3 STATE SHARE PARKING REGIST & EQUIPMENT VIOLATIONS-SEP'11 COUNTY/STATE-HANDICAP STATE LINKAGE FEE-SEP'11	
48617	10/26/11	111005	JESUS MUNOZ REFEREE SERVICES-9/1-29/11 BASEBALL GAMES	1,330.00
48618	10/26/11	111005	NEXTEL COMMUNICATIONS CELLULAR BILLING-9/2-10/1/11 BCMA/BELL P. D.	247.58
48619	10/26/11	111005	DFSI COPIER LEASE-9/1-30/11 PYMT#28 COPIER LEASE-10/1-31/11 PMT#29 FAX LEASE-9/1-30/11 PYMT#3 FAX LEASE-10/1-31/11 PYMT#4	1,000.86
48620	10/26/11	111005	OCE IMAGISTICS INC. COPIER-MAINT & USAGE-8/1-31/11 BELL P. D.	16.71
48621	10/26/11	111005	OLDTIMERS FOUNDATION PARATRANSIT SERVICES-SEP'11	37,534.00
48622	10/26/11	111005	ROBERT PALMER REFUND-SAFEKEEPING DR#11-2169	1,011.06
48623	10/26/11	111005	MARIA A. PICON REFUND-HALL DEPOSIT 10/1/11	300.00
48624	10/26/11	111005	QUICK DISPENSE MISC SUPPLIES-CITY HALL MISC SUPPLIES-CITY HALL	294.80
48625	10/26/11	111005	QUILL CORPORATION OFFICE SUPPLIES-JAIL/BELL P. D. OFFICE SUPPLIES-JAIL/BELL P. D. OFFICE SUPPLIES-CITY COUNCIL OFFICE SUPPLIES-DB/BELL P. D. OFFICE SUPPLIES-GEN SVCS OFFICE SUPPLIES-ADMIN SVCS	1,991.36
48626	10/26/11	111005	JOCELYNNE RAMIREZ REFUND-KUNG FU CLASS/J. MENDEZ	30.00
48627	10/26/11	111005	RELIA-TECH CAT5E PATCH CABLE-POLICE CARS LINKSYS USB ETHERNET ADAPTER BELL P. D. PREPAID MAINT CONTRACT-OCT'11	2,557.99
48628	10/26/11	111005	JOSEFINA RIVAS	1,248.00

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
AEROBICS INSTRUCTOR-9/26-11/3				
48629	10/26/11	111005	RSCC ENGINEERING, INC ENGINEERING SVCS-9/27-10/7/11 STREET REHAB PROJ-PROP. 1B FLORENCE AC OVERLAY PROJ STREET REHAB PROJ-FILMORE ST	14,605.00
48630	10/26/11	111005	STATE OF CALIFORNIA 25% TAX WITHHELD ORDER-L. M.	7,243.75
48631	10/26/11	111005	TRANSTECH PLAN CHECK SVCS-6/3/11 PC#45225 PLAN CHECK SVCS-8/22/11 PC#45410, 45415, 45413	1,108.65
48632	10/26/11	111005	UNIFIED TRANSLATION SERVICES INTERPRETING SVCS PROPERTY TAX BILL EXPLANATION	96.45
48633	10/26/11	111005	WELLS FARGO BANK REFUND-T. U. P. #11-29 DEPOSIT	500.00
48634	10/26/11	111005	WELLS FARGO REMITTANCE CENTER NATURAL GAS BILLING-PARKS&REC	8.07
48635	10/26/11	111005	WELLS LOCK & KEY KEYS-ICAD/CITY CLERK OFFICE KEYS-BELL HOUSE KEYS-PATROL LOCKERS/BELL P. D. SVC CALL/FILE LOCK/KEYS-ADMIN	139.00
TOTAL	70 CHECKS			588,169.10
*W0000639	10/19/11	111006	CITY OF BELL PAYROLL FUND FICA & MEDI TAXES-PAY 10/4/11	9,172.99
W0000640	10/20/11	111006	CAL-PUBLIC EMPLOYEE RETIREMENT RETIREMENT PYMT-PAY 10/14/11 NORMAL PAY	60,570.73
TOTAL	2 WIRES			69,743.72
TOTAL				657,912.82

**BCHA 1-
Bell Community
Housing Authority**

**Warrants
for**

October 12-26, 2011

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
1580	10/13/11	111024	MAYWOOD MUTUAL WATER CO WATER BILLING-10/12/11 4416 1/2 GAGE AVE-BCHA	181.59
1581	10/13/11	111024	GOLDEN STATE WATER COMPANY WATER BILLING-8/18-9/21/11 4416 GAGE AVE-BCHA WATER BILLING-8/18-9/21/11 6633 PINE AVE/LAUNDRY-BCHA WATER BILLING-8/18-9/21/11 4207 BELL AVE-BCHA WATER BILLING-8/18-9/21/11 6712-18 OTIS AVE-BCHA WATER BILLING-8/22-9/23/11 6419 PROSPECT AVE-BCHA WATER BILLING-8/23-9/26/11 6327 PINE AVE-BCHA	1,153.93
1582	10/19/11	111024	VOID VOID-TEST PRINT	0.00
1583	10/19/11	111024	VOID VOID-TEST PRINT	0.00
1584	10/19/11	111024	THE GAS COMPANY GAS BILLING-9/9-10/7/11 6304 KING AVE/LAUNDRY-BCHA	21.64
TOTAL	5 CHECKS			1,357.16

**BCHA 2-
Bell Community
Housing Authority**

**Warrants
for**

October 12-26, 2011

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
1585	10/19/11	111034	AT&T TELEPHONE BILLING-9/4-10/3/11 FLORENCE VILLAGE MHP	146.35
1586	10/19/11	111034	CONSOLIDATED DISPOSAL SRVS#902 WASTE/RECYCLING SVCS-OCT'11 4874 GAGE AVE-BMHP WASTE/RECYCLING SVCS-OCT'11 5162 FLORENCE AVE-MMHP/FVMHP WASTE/RECYCLING SVCS-OCT'11 5246 FLORENCE AVE-DRMHP/FVMHP	5,971.38
1587	10/19/11	111034	THE GAS COMPANY GAS BILLING-9/9-10/7/11 4874 GAGE AVE-BMHP GAS BILLING-9/12-10/10/11 6503 WILCOX AVE-BMHP	1,025.68
1588	10/19/11	111034	SOUTHERN CALIFORNIA EDISON ELECTRICAL BILLING-8/31-10/1 4874 GAGE AVE-BMHP ELECTRICAL BILLING-8/31-10/1 4874 GAGE AVE-BMHP	4,407.57
1589	10/21/11	111034	VOID VOID-TEST PRINT	0.00
1590	10/21/11	111034	VOID VOID-TEST PRINT	0.00
1591	10/21/11	111034	AT&T TELEPHONE BILLING-9/4-10/3/11 BELL MOBILE HOME PARK	165.54
1592	10/26/11	111035	ALL AMERICAN HOME CENTER HARDWARE SUPPLIES-FVMHP	40.12
1593	10/26/11	111035	AMERICAN PAPER PLASTIC JANITORIAL SUPPLIES-FVMHP JANITORIAL SUPPLIES-BMHP	655.95
1594	10/26/11	111035	CITY OF BELL REIMB-BCHA TO GEN NEXTEL BILL CELL BILLING-9/2-10/1/11	214.60
1595	10/26/11	111035	LIDIA CRUZ REFUND-CLUBHOUSE DEPOSIT 10/8	25.00
1596	10/26/11	111035	RODOLFO G. & JUANITA DAVILA MANAGEMENT SVCS-10/1-31/11 FLORENCE VILLAGE MHP	5,400.00
1597	10/26/11	111035	DEPARTMENT OF HOUSING AND	38.00

CHECK NO	DATE	BATCH	VENDOR/DESCRIPTION	AMOUNT
			REGISTRATION RENEWAL 5162 FLORENCE AVE-FVMHP	
1598	10/26/11	111035	FIRST CHOICE MISC SUPPLIES-FVMHP	28.15
1599	10/26/11	111035	THE GAS COMPANY GAS BILLING-5/23-6/22/11 FVMHP	840.40
1600	10/26/11	111035	METERMAN SERVICES, INC METER READING--SEP '11 5162 FLORENCE AVE-FVMHP METER READING--SEP '11 4874 GAGE AVE-BMHP	816.15
TOTAL	16 CHECKS			19,774.89

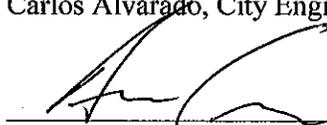
City of Bell Agenda Report

DATE: October 26, 2011

TO: Mayor and Members of the City Council

FROM: Carlos Alvarado, City Engineer

APPROVED
BY:



Arne Croce, Interim Chief Administrative Officer

SUBJECT: Extension of Services Agreement for West Coast Arborists, Inc. from July 1, 2011-June 30, 2012.

RECOMMENDATION:

Authorize the Interim CAO to execute an agreement with West Coast Arborist Inc. (WCA) to extend the City's tree maintenance agreement through June 30, 2012 at the rates included in Exhibit "A" of the agreement.

BACKGROUND:

At the meeting of Oct. 12th, Council continued this item and directed staff to seek better terms for the continuation of tree maintenance services by West Coast Arborists. Since that time, staff has met with West Coast Arborist personnel. West Coast Arborists has offered the City of Bell the unit costs for annual tree maintenance contained in a contract recently awarded to the firm through a competitive bidding process by the City of Diamond Bar. The offered unit price for basic tree trimming is \$40 per tree vs. the current rate of \$44.00/tree. As basic tree trimming accounts for approximately 90% of the City's tree maintenance program, the savings to the City will be approximately 9%. In reviewing the results of recent competitive bid processes in other cities, the \$40 per tree cost is very favorable. The unit cost for extra work beyond annual tree maintenance remain at the rates in the current Bell contract; most of these rates are lower than those contained in the Diamond Bar contract. WCA is also offering to complete a tree inventory for the City and access to their web-based tree inventory program at no additional cost to the City. The value of this inventory is estimated at approximately \$10,000.

The City's current standard of trimming all street trees yearly is a high level of service. Many cities are on cycles that can run from 5—7 years. Changing the City's tree trimming frequency can lower the annual costs of the tree trimming program and result in a lower yearly property assessment necessary for the Landscape and Lighting District. Staff recommends the City Council review the current tree trimming policy as the 2012-13 budget and assessments are prepared.

FINANCIAL IMPACT

The City's current year budget appropriates \$130,000 to the tree maintenance program. With the lower cost of the new agreement, the cost should not exceed \$120,000.

ATTACHMENTS

- 1) Amendment No. 1 to Tree Maintenance Agreement Between City of Bell and West Coast Arborists, Inc.
- 2) Letter offer of revised terms from West Coast Arborists
- 3) Existing agreement

AMENDMENT NO. 1 TO AGREEMENT FOR TREE MAINTENANCE
CONTRACTUAL SERVICES BETWEEN CITY OF BELL
AND WEST COAST ARBORISTS, INC.

THIS AMENDMENT NO. 1 TO TREE MAINTENANCE AGREEMENT (“Amendment”) by and between the **CITY OF BELL** (“City”) and West Coast Arborists, Inc., (“Contractor”) is effective as of the 26th day of October, 2011.

RECITALS

A. City and Contractor entered into that certain Tree Maintenance Agreement dated July 1, 2003 (“Agreement”), whereby Contractor agreed to provide tree maintenance services for the City.

B. City and Contractor now desire to amend the Agreement to and revise the scope of Work, to extend the term thereof until the City completes a bid process for continuation of tree maintenance services and to include additional compensation to the original Contract Amount for tree maintenance services between October 26, 2011 and June 30, 2012 in an amount not to exceed \$130,000.

TERMS

1. **Contract Changes.** The Agreement is amended as provided herein.

(a) Section 3, “Contract Price”, is amended to read, in its entirety, as follows:

For the period of October 26, 2011 to June 30, 2012, Contractor shall perform the Work for a total amount not to exceed \$130,000. The rate of compensation shall be as established in the Schedule of Compensation attached hereto as Exhibit “A” (“Schedule of Compensation”). New Exhibit “A” does not amend the existing exhibit schedule of compensation but pertains to the additional services performed hereunder.

(b) Section 9, “Term”, is amended to read, in its entirety, as follows:

The term of this Agreement shall commence as of October 26, 2011, and continue through June 30, 2012.

(c) Section 10, “City’s Right to Terminate”, is amended to read, in its entirety, as follows:

City may terminate this Agreement, with or without cause, by providing 30 days written notice to Contractor at the following address, or at such new address as Contractor shall previously inform the City in writing:

West Coast Arborists, Inc.
2200 E. Via Burton Street
Anaheim, CA 92806
Fax: (714) 956-3745

2. **Continuing Effect of Agreement.** Except as amended by this Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement, as amended by this Amendment to the Contractual Services Agreement.

3. **Affirmation of Agreement; Warranty Re Absence of Defaults.** City and Contractor each ratify and reaffirm each and every one of the respective rights and obligations arising under the Agreement. Each party represents and warrants to the other that there have been no written or oral modifications to the Agreement other than as provided herein. Each party represents and warrants to the other that the Agreement is currently an effective, valid and binding obligation.

Contractor represents and warrants to City that, as of the date of this Amendment, City is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

City represents and warrants to Contractor that, as of the date of this Amendment, Contractor is not in default of any material term of the Agreement and that there have been no events that, with the passing of time or the giving of notice, or both, would constitute a material default under the Agreement.

4. **Adequate Consideration.** The parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

5. **Authority.** The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first-above written.

[Signatures on the following page.]

CITY:

CITY OF BELL

Chief Administrative Officer

ATTEST:

City Clerk

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

David Aleshire, City Attorney

CONTRACTOR:

By: _____
Name:
Title:

By: _____
Name:
Title:

Address: _____

Two signatures are required if a corporation

NOTE: CONTRACTOR'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO DEVELOPER'S BUSINESS ENTITY.



**CITY OF BELL
SCHEDULE OF COMPENSATION
TREE MAINTENANCE SERVICES**

<u>DESCRIPTION</u>	<u>UNIT</u>	<u>UNIT PRICE</u>
Grid or Annual Tree Maintenance	Each	\$ 40.00
ADDITIONAL SERVICES:		
Tree Raising	Each	\$ 22.00
Complete tree and stump removal	Inch (DBH)	\$ 15.00
Stump only removal	Inch	\$ 5.00
Palm Tree Skinning	Per foot	\$ 7.00
Tree Planting (includes tree, labor, materials)		
15 gallon tree without root barrier	Each	\$ 95.00
15 gallon tree with root barrier	Each	\$ 80.00
24 inch box without root barrier	Each	\$ 195.00
24 inch box with root barrier	Each	\$ 160.00
Tree Watering	Day	\$ 360.00
Crew Rental (3 men, aerial unit, dump truck and chipper)	Hourly	\$ 150.00
Crew Rental (2 men with equipment)	Hourly	\$ 100.00
Crew Rental (1 man with equipment)	Hourly	\$ 50.00
Emergency call out (Evening, Holiday And or Weekend)	Hourly	\$ 200.00
Tree Maintenance - Service Requests (based on Crew Rental Rate)		
Small variety, (0-6" dbh)	per tree	\$ 35.00
Medium variety, (7-16" dbh)	per tree	\$ 75.00
Large variety, (over 16")	per tree	\$ 155.00
GPS Tree Inventory	Lump Sum	No Fee



October 20, 2011

City of Bell
ATTN: Arne Croce, Interim Chief Administrative Officer
6330 Pine Avenue
Bell, CA 90201

RE: TREE MAINTENANCE & MANAGEMENT SERVICES

Dear Mr. Croce,

Thank you for taking the time to meet with me earlier this week. As we discussed, the initial term of the Agreement expired on June 30, 2010 and we expressed our interest in continuing working for the City of Bell under the provisions of the Agreement.

The Agreement allows the City to extend for an additional five-year period in one-year increments. We recognize that municipalities, including Bell, remain challenged by substantial reductions in revenue and increased operating costs. To promote stability, reduce operating costs, and to guarantee the residents with quality tree care and customer service for years to come, we propose a **10.0% discount off the Tree Trimming unit cost** (which is the primary work performed for the City) and hold this rate and the other unit rates the same until June 30, 2015. These rates will closely match the rates from a recent bid conducted by the City of Diamond Bar. Attached for your review is our proposed price schedule.

As part of this extension and during the entire length of the contract, WCA will provide the City with a new GPS tree inventory (valued at approximately \$7,500), and access to our web-based tree inventory program called ArborAccess with unlimited software support (valued at approximately \$3,600 annually) at no additional cost to the City.

We appreciate your ongoing efforts to make this Agreement a success for both the City and WCA and look forward to continuing our successful business relationship. Should you have any questions, or require additional information please do not hesitate to contact me at (800) 521-3714.

Sincerely,

Victor M. Gonzalez
Vice President, Marketing

TREE MAINTENANCE AGREEMENT

THIS AGREEMENT is made and entered by and between the CITY OF BELL, a municipal corporation (hereinafter "City"), and WEST COAST ARBORISTS, INC. (hereinafter "Contractor").

WHEREAS, the City Council of the City at a meeting held on the _____ of December, 2003 authorized the Mayor and City Clerk to enter into this Contract after public bidding.

NOW, THEREFORE, it is hereby agreed by and between the parties that:

1. Defined Terms

Terms used in this Contract which are defined in the General Conditions/Specifications have the meaning assigned to them therein.

On or about November 10, 2003, the City of BELL issued its Notice Inviting Bids whereby it solicited proposals for municipal tree maintenance for fiscal years 2004-2005 THROUGH 2009-2010 with options for extensions. CONTRACTOR submitted its bid to the City of BELL on November 24, 2003, and was subsequently awarded the contract by the City of BELL.

2. Performance of Work

The Contractor shall furnish all of the labor, materials, tools, equipment, services and transportation necessary to perform all of the work described as follows: Tree trimming, tree & stump removal, and inventory services (hereinafter "work").

The Contractor shall perform all of the work in strict accordance with the Contract Documents as enumerated in Article 7 hereof.

The Contractor shall be liable to the City for any damages arising from, or as a result of, a failure to fully comply with the Contract Documents. Contractor shall not be excused with respect to any failure to so comply by any act or omission of the City, its officers, employees or agents, unless such act or omission actually prevents the Contractor from fully complying with the requirements of the Contract Documents.

3. Contract Price

The City shall pay to the Contractor for completed work as directed by the City, in accordance with the Schedule of Compensation included in the Contract Documents. Such compensation shall not exceed budgeted amount in any fiscal year (July 1 through June 30) without prior written authorization.

4. Payments

The Contractor shall submit an itemized invoice to the City on the 15th and following the close of each month. The City shall pay an invoice within thirty-five (35) days of submission or resolution of disputed items.

5. Contract Documents

The contract entered into consists of the following Contract Documents, all of which are component parts of the contract as if herein set forth in full or attached hereto:

- (a) Contract
- (b) Schedule of Compensation
- (c) Verification of California Contractor's License

6. Independent Contractor

The Contractor is and shall at all times remain as to the City a wholly-independent Contractor. Neither the City nor any of its officers, employees, or agents shall have control over the conduct of the Contractor or any of the Contractor's officers, employees, servants, agents or subcontractors, except as set forth in the Contract Documents. The Contractor shall not at any time or in any manner, represent that it or any of its officers, employees, agents, or subcontractors, are in any manner, officers, employees, agents or subcontractors of the City.

7. Indemnification

The Contractor hereby agrees to indemnify, defend and hold harmless the City, and its officers, employees, servants and agents from and against any and all claims, liability, loss, damage, cost and expense, including court costs and attorney's fees, whether or not litigation be commenced, because of injury or death to any person whomsoever or damage to any property whatsoever, arising out of or in any way connected with the performance of the work by the Contractor or any of the Contractor's officers, employees, servants or agents or any subcontractor.

The City does not, and shall not, waive any rights against Contractor which it may have by reason of the aforesaid indemnification agreement, because of the acceptance by the City, or the deposit with the City by Contractor, of any of the insurance policies specified in this Contract or other Contract Document.

The aforesaid indemnification agreement shall apply regardless of whether or not the insurance policies specified in this Contract or other Contract Document shall have been determined to be applicable to the claim, liability, loss, damage, cost or expense.

8. Insurance

The Contractor shall secure from a good and responsible company or companies doing insurance business in the State of California, pay for, and maintain in full force and effect for the duration of this Contract the policies of insurance required by this Article and shall furnish to the Department of Public Works a completed certificate of insurance together with the executed copies of this Contract.

Notwithstanding any inconsistent statement in any of said policies or any subsequent endorsement attached thereto, the protection offered by the policies shall:

(A) Name the City and its officers, employees, servants and agents as additional insured with the Contractor, whether liability is attributable to the Contractor or the City.

(B) Insure the City and the Contractor and their respective officers, employees, servants and agents while acting in the scope of their duties under this Agreement against all claims, demands, damages, liabilities, losses, costs or expenses arising from, or in any way connected with, the performance of this Agreement by the Contractor or the City.

(C) Bear an endorsement or have attached a rider, executed by a duly authorized officer of the insurance company, whereby it is provided that such policy provides primary coverage and that any other policy that may afford coverage to the City shall be excess over, and not concurrent with, such policy.

(D) Bear an endorsement or have attached a rider, executed by a duly authorized officer of the insurance company, whereby it is provided that, in the event of proposed cancellation or amendment of such policy for any reason whatsoever, the City shall be notified by certified or registered mail, postage prepaid, return receipt requested, not less than thirty (30) days before the cancellation is effective.

a. Consistent with the provisions of Paragraphs 10.1 and 10.2 of this Article, the Contractor shall provide public liability and property damage insurance as follows:

General Liability.....\$ 500,000 each person

	\$1,000,000	each occurrence
	\$1,000,000	aggregate products and complete operations
Property Damage	\$ 500,000	each occurrence
	\$1,000,000	aggregate

A combined single limit policy with aggregate limits in the amount of \$1,000,000 will be considered equivalent to the required minimum limits.

The public liability and property damage insurance shall specifically provide:

(A) That the City of Bell as respects any agreement, contract, activity, omission, operation or undertaking of the named insured with the City whether liability is attributable to the insured or to the City, excepting the sole negligence of the City, insofar as and to the extent that such agreement is permitted by the applicable laws. The insurance companies hereunder further agree to defend the City, including investigation and attorney's fees, until a legal determination is made that it was not obligated to do so because of the sole negligence of the City.

(B) That the contractual liability of the named insured as assumed under the terms of its contract with the City, subject to policy terms and conditions.

(C) Broad form property damage including but not limited to underground coverage, explosion and collapse.

(D) Owners or contractors protective, manufactures and contractors, and elevator liability.

(E) Minimum standards of comprehensive general and auto liability.

b. Contractor, and every subcontractor, shall provide complete workers' compensation insurance consistent with the provisions of Paragraph 10.1 of this Article, or a certificate of consent to self-insurance by the Director of Industrial Relations in accordance with the requirements of Section 3700 of the California Labor Code. Contractor shall indemnify, defend and hold harmless the City and its officers, employees, servants and agents from any claim resulting from failure of either Contractor or any subcontractor to take out or maintain such insurance. (Labor Code § 3700.)

9. Term

This contract shall be in effect from the effective date until June 30, 2010. With concurrence of both the City and the Contractor, it may be extended for an additional five (5 years) in one (1) year periods at the rates contained in the Schedule of Compensation included in the Contract Documents.

The term of this Agreement shall commence as of January 1, 2004, and continue through June 30, 2010 ("Initial Term"), with an option authorizing the Director of Public Works or his/her representative to continue said agreement up to five years on a year-to-year basis on the same terms and conditions as prescribed in this Agreement, subject to any change in the rate of compensation to be paid to CONTRACTOR as hereinafter provided. If CITY desires to exercise its renewal option, CITY shall advise CONTRACTOR in writing of its intent to extend the Agreement by not later than September 1st of the term then expiring. If CONTRACTOR desires to adjust the rates as set forth in the then current Schedule of Rates for such extension period, CONTRACTOR shall give CITY written notice of such adjustment by September 15th of the term then expiring. If CONTRACTOR gives notice of any adjustment in the Schedule of Rates, CITY may then rescind the exercise of its option, provided, however, written notice of such rescission must be issued by CITY to CONTRACTOR no later than October 1st of the term expiring.

The CITY, at its option and with CONTRACTOR concurrence, may renew this contract for an additional five-year periods, in one year increments, on the same terms and conditions as provided herein. This option may be exercised only if the CONTRACTOR demonstrates superior performance in the provision of tree maintenance services during the prior five-year contract term, assuming all of the annual renewal options were awarded.

10. City's Right To Terminate

If the Contractor refuses or fails to prosecute the work or any separable part thereof with such diligence as will insure its completion within the term specified or any extension thereof, or fails to complete said work within such time, or fails to perform the work in a satisfactory manner, or if the Contractor should be adjudged a bankrupt, or if he should make a general assignment for the benefit of his creditors, or if a receiver should be appointed on account of his insolvency, or if he should persistently or repeatedly refuse or should fail, except in cases for which extension of time is provided, to supply enough properly skilled workers or proper materials to complete the work in the time specified, or if he should fail to make prompt payment to subcontractors or for material or labor, or persistently disregard laws, ordinances or instructions of the City, or otherwise breach this contract, the Director of Public Works shall serve written notice on the Contractor of the intention that this contract be terminated together with the reasons therefor. Unless within 30 days after the service of such notice such condition or violation shall cease or satisfactory arrangements for the correction thereof be made, this contract shall upon the expiration of said 30 days, cease and terminate. In such case, Contractor shall not be entitled to receive any further payment until the work is finished.

In event of any such termination, the City shall immediately serve written notice thereof upon surety and Contractor, and surety shall have the right to take over and perform this contract, provided, however, that if surety within five (5) days after service upon it of said notice of termination does not give the City written notice of its intention to take over and perform this

contract or does not commence performance thereof within ten (10) days from the date of serving such notice, the City may take over the work and prosecute the same to completion by contract or by any other method it may deem advisable for the account and at the expense of Contractor, and he and his surety shall be liable to the City for any excess cost or other damages occasioned the City thereby.

If the City takes over the work as hereinabove provided, the City may, without liability for so doing, take possession of, and utilize in completing the work, such materials, appliance, plant, and other property belonging to the Contractor as may be on the site of the work and necessary therefor.

11. Arbitration

Except as otherwise expressly provided herein, the Parties hereto agree that any claim or dispute between them arising out of or relating to the terms of this agreement shall be resolved by compulsory binding arbitration conducted by a retired Superior Court Judge of the State of California or other qualified person the Parties mutually agree upon. The claim or dispute being arbitrated shall be resolved in accordance with California law.

The arbitration proceedings shall be governed by the laws and procedures governing civil judicial proceedings in this state. Each party shall comply with all applicable laws relating to binding and compulsory arbitration, the directions given by the Arbitrator, and the provisions of this agreement. The determinations made by the Arbitrator, if within the scope of the Arbitration and the Arbitrator's function, shall be binding and conclusive on the Parties and shall be enforceable in the manner provided by law.

Arbitrator shall be selected in the following manner:

- a. The party initiating the arbitration ("Initiating Party") shall prepare and submit to the other party a list ("List") containing the names of not to exceed three (3) retired Superior Court Judges, all of whom the Initiating Party believes are qualified to serve as Arbitrator. The names of the judges on the List shall be numbered consecutively.
- b. The party upon whom the List is served, within ten (10) calendar days after service of the List, shall either:
 - i. select one of the named retired judges to act as Arbitrator, in which case that retired judge shall serve as the Arbitrator; or
 - ii. strike one (1) name from the List.

- c. Upon expiration of said ten- (10-) day period, if no selection is made, the Arbitrator shall be the retired judge on the List with the lowest number next to his name, unless that judge's name was stricken during the ten- (10-) day period by the non-initiating party.
- d. If for any reason the retired judge designated as the Arbitrator is unwilling or unable to serve as the Arbitrator, the judge on the List with the next lower number whose name was not stricken shall be the Arbitrator. In the event that none of the three retired judges named on the List are willing or able to serve as the Arbitrator, the Initiating Party shall prepare and submit a new List containing the names of not to exceed three (3) different retired judges, and the above-described procedure shall be followed until an Arbitrator is selected.

Each party hereto hereby agrees to pay one-half of the compensation to be paid to the Arbitrator and, except as otherwise expressly provided herein, each party shall bear its own costs and expenses of arbitration, including, but not limited to, attorneys' fees and related costs.

By way of illustration, if the List served by the Initiating Party upon the other party has the name of three (3) retired judges, A, B, and C, numbered 1, 2, and 3, respectively, and number 1 is stricken, then B, Number 2, shall be deemed, for all purposes, to be the selected Arbitrator.

12. Claims

Prior to initiating any arbitration proceedings, the contractor must comply with the following procedures for all claims:

- a) The claim shall be in writing and include the documents necessary to substantiate the claim. Claims must be filed on or before the date of final payment. The requirements of this section do not extend or supercede notice requirements otherwise provided by the contract for the filing of claims.
- b) Within 10 days of receipt of the claim, the City may request additional documentation supporting the claim.
- c) Regardless of whether the City requests additional documentation supporting the claim, the City may respond in writing to the claim within 30 days of receipt of the claim. If the City does not respond within said 30 day period, then the claim shall be deemed denied.

- d) If the City responds in writing to the claim and the claimant disputes the written response by the City, then, upon demand by the contractor, the City may, but is not required to, schedule a meet and confer conference within 20 days of receipt of said demand.
- e) This section does not change the time periods or filing requirements for filing claims against public entities as required by Government Code Section 900, et seq.

13. Waiver

No waiver of any provision of this Contract shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any such waiver constitute a continuing or subsequent waiver of the same provision. No waiver shall be binding, unless executed in writing by the party making the waiver.

14. Notice

Whenever it shall be necessary for either party to serve notice on the other respecting the contract, such notice shall be served by registered mail, postage prepaid, return receipt requested, addressed to the Director of Public Works, 6330 Pine Avenue, Bell, CA 90201, and to the Contractor at 2200 E. Via Burton Street, Anaheim, CA 92806 unless and until different addresses may be furnished in writing by either party to the other.

Notice shall be deemed to have been served as of the third (3rd) day after the same has been deposited in the United States postal service. This shall be a valid and sufficient service of notice for all purposes.

15. Assignment

The Contractor shall not assign the performance of the contract, nor any part thereof, nor any monies due or to become due hereunder, without the prior written consent of the City. It is understood and acknowledged by the parties that the Contractor is the most responsible bidder qualified to perform the work.

Subject to the provision of this Article regarding assignment, the contract shall be binding upon the heirs, executors, administrators, successors, and assigns of the Contractor.

17. Miscellaneous Provisions

Should a change be contemplated in the name or nature of the Contractor's legal entity, the Contractor shall first notify the City in order that proper steps may be taken to have the change reflected in the Contract Documents.

The contract shall be effective from and after the date that this Contract is signed by the representatives of the City.

This Contract is made in three (3) original counterparts.

The captions of the articles, sections, subsections, paragraphs and subparagraphs of the Contract Documents are for reference only and are not to be construed in any way as a part of the contract.

The remedies contained in this Contract are cumulative, and in addition to and not in limitation of, any remedy at law or in equity to which the City may be entitled.

18. Entire Agreement

The Contract Documents integrate all terms and conditions in connection with the work called for herein and supersede all negotiations and prior understandings, either oral or in writing, in respect to the subject matter hereof.

The Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all.

Each and every provision of law and clause required to be inserted into the Contract Documents shall be deemed to be inserted therein, and if through mistake or otherwise any such provision is not inserted, or is not inserted correctly, then upon application of either party, the Contract Documents shall forthwith be amended in writing to make such insertion or correction.

The Contract Documents shall not be amended except by a writing duly executed by the parties.

This Contract shall be effective upon the date executed by the Mayor, which execution shall not take place until this Contract is executed by Contractor and all necessary documents are provided to City.

CONTRACTOR:

A Corporation

West Coast Arborists, Inc.

(Corporation Name)

California

(State of Incorporation)

By: Patrick Mahoney

(Person Authorized to Sign)

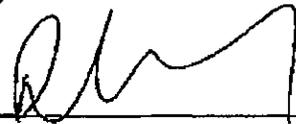
President

(Title)

March 4, 2004

Date

Signature



(Corporate Seal)

Attest: Rose Epperson

(Secretary)

Business address: 2200 E. Via Burton St.

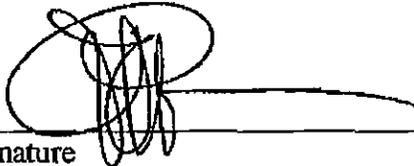
Anaheim, CA 92806

Telephone Number: (800) 521-3714

March 4, 2004

Date

Signature



CITY OF BELL

By _____
Mayor

Date _____

ATTEST:

City Clerk

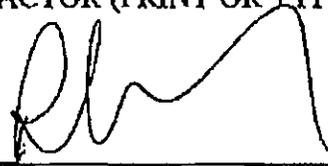
VERIFICATION OF CALIFORNIA
CONTRACTOR'S LICENSE

I certify, under penalty of perjury, that I have a valid California Contractor's license issued pursuant to Business and Professions Code section 7000 et seq. and was so licensed at the time that the bid was awarded:

California Contractor's License:

<u>366764</u>	<u>D49/C61 G27</u>	<u>12/31/04</u>
License Number	Class	Expiration Date

West Coast Arborists, Inc.
CONTRACTOR (PRINT OR TYPE)



March 4, 2004
Date

Signature Patrick Mahoney, President



SCHEDULE OF COMPENSATION

	<u>UNIT</u>	<u>UNIT PRICE</u>
Grid or Annual Tree Maintenance	Each	\$ 44.00
EXTRA WORK:		
Tree Raising	Each	\$ 22.00
Standard Tree Inventory with Tree Maintenance Contract	Lump Sum	No Fee
Complete tree and stump removal	Inch (DBH)	\$ 15.00
Stump only removal	Inch	\$ 5.00
Palm Tree Skinning	Per foot	\$ 7.00
Tree Planting:		
15 gallon tree with root barrier	Each	\$ 95.00
15 gallon tree without root barrier	Each	\$ 80.00
24 inch box with root barrier	Each	\$ 195.00
24 inch box without root barrier	Each	\$ 160.00
Tree Watering	Day	\$ 360.00
Crew Rental (3 men, aerial unit, dump truck and chipper)	Hourly	\$ 150.00
Crew Rental (2 men with equipment)	Hourly	\$ 100.00
Crew Rental (1 man with equipment)	Hourly	\$ 50.00
Emergency call out (Evening, Holiday And or Weekend)	Hourly	\$ 200.00
Tree Maintenance - Service Requests (based on Crew Rental Rate)		
Small variety, (0-6" dbh)	per tree	\$ 35.00
Medium variety, (7-16" dbh)	per tree	\$ 75.00
Large variety, (over 16")	per tree	\$ 155.00

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**City of Bell
Agenda Report**

DATE: October 26, 2011

TO: Mayor and Members of the City Council

FROM: Aleshire & Wynder, LLP

APPROVED
BY:



Arne Croce, Interim Chief Administrative Officer

SUBJECT: Assembly Bill 27 Urgency and Companion Regular Ordinances Continuing the Existence of the Bell Community Redevelopment Agency and Committing the City to Annual Remittances Pursuant to AB 27.

RECOMMENDATION:

That the City Council (1) adopt the proposed urgency ordinance; and (2) introduce the proposed companion regular ordinance to continue the existence of the Bell Community Redevelopment Agency and commit the City to pay annual remittances to the Los Angeles County Auditory-Controller in accordance with AB1X 27. The ordinances are titled as follows:

1) AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BELL

2) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BELL

BACKGROUND:

As part of the 2011-12 State budget bill, the California Legislature enacted and the Governor signed, companion bills Assembly Bill 1X 26 ("AB 26") and Assembly Bill 1X 27 ("AB 27"), requiring that each redevelopment agency be dissolved unless the City that created it enacts an ordinance committing it to making certain payments.

AB 26 prohibits redevelopment agencies from taking numerous actions effective on June 29, 2011, and purportedly retroactively and additionally provides that agencies are deemed to be dissolved as of October 1, 2011. Once a redevelopment agency is dissolved, AB 26 makes its existing assets and future property tax revenues available for use by a successor agency to wind-down existing obligations and for distribution of any residual funds to the appropriate taxing entities.

AB 27 provides that a community may participate in an "Alternative Voluntary Redevelopment Program," in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the Community Redevelopment Law. This is done by enacting an "opt-in" ordinance no later than November 1, 2011, and agreeing to make certain "voluntary" community remittance payments. If the City does not adopt an "opt-in" ordinance by October 1, 2011, or a "non-binding" resolution of intent to adopt an "opt-in" ordinance by November 1, 2011, automatic dissolution of the Redevelopment Agency occurs, based on current law. *Notably, the Bell City Council adopted the "non-binding" resolution of intent on September 28, 2011, to extend its deadline for adopting the binding ordinances to November 1.*

The Alternative Voluntary Redevelopment Program requires that the City agree by ordinance to remit specified annual amounts to the county auditor-controller. In the case of the City of Bell, it would have to agree make a Fiscal Year 2011-2012 community remittance in the amount of \$1,100,812 as well as subsequent annual community remittances estimated at \$261,017.

Financial Payment:

Continuing the Redevelopment Agency pursuant to AB 27 will enable the Agency's budgeted capital projects (and potentially others) to be constructed using existing tax-exempt bond proceeds. If Agency funds are not available for the payment of these projects, the remaining source to pay for these projects would be the City's General Fund. Since the City's General Fund is fully burdened, this approach is not recommended. Alternatively, staff is recommending that the Redevelopment Agency not be dissolved under AB 26, but instead be continued as set forth under AB 27.

AB 27 states that the annual remittance payment is an obligation of the City, and not of the Agency. However, it does provide for a separate agreement whereby the Agency will reimburse the City for the remittance payment. On September 28, 2011, the City and Agency approved a "Remittance Agreement" to put this reimbursement arrangement into place.

The "voluntary" remittance payment required by the State to continue the Bell Community Redevelopment Agency is \$1,100,812 for Fiscal Year 2011-12 and estimated at \$261,017 per year in subsequent fiscal years. In regards to the future annual payments of approximately \$261,017, City/Agency staff will be reviewing the various financial options, and will provide a staff recommendation at the appropriate time. If at any point the Agency/City is unable to make the payments required by AB 27, the Agency/City can withdraw from the program in which case

the Agency would follow the provisions of AB 26, wind-down, and cease operations. In such a case, AB 26 would be the guiding legislation for the orderly winding-down of the Agency's operations.

The City/Agency's Financial Consultant, RSG, Inc., has prepared a financial analysis of the AB 27 payments over time, the impact of such payments on the Agency's funds, and the feasibility of such payments for purposes of continuing the Agency's existence. That analysis will be presented concurrently with this Staff Report.

Proposed Ordinances:

In light of the above financial analysis and under the threat of dissolution of the Redevelopment Agency, it is staff's recommendation that the City Council adopt the requisite ordinance so that the City (with the assistance of the Redevelopment Agency, over the next few years) can continue to implement a variety of redevelopment projects and programs for the purpose of eliminating and preventing blight, stimulating and expanding the Bell Redevelopment Project Area's economic growth, creating and developing local job opportunities and contributing to much needed public infrastructure.

While the proposed ordinances express the City's intent to make the required community remittances, in order to prevent a total loss of benefits provided by the Agency to the taxpayers, property owners and residents of the City, the ordinances make it clear that the required remittances shall be made "under protest and without prejudice to the City's and Agency's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 26 and AB 27 are unconstitutional or otherwise illegal or repealed." In other words, the City will reserve the right, regardless of any community remittance made pursuant to the ordinances, to challenge the legality of AB 26 and AB 27 on behalf of the City and/or Agency. The ordinances also reserve the City's right to appeal the amounts of the remittance payments, as those amounts have been determined or set by the Department of Finance, at any time.

Urgency Findings:

Two ordinances are presented to the City Council: (1) an urgency ordinance and (2) a companion regular ordinance. California Government Code Section 36937(b) provides that an urgency ordinance for the immediate preservation of the public peace, health or safety may take effect immediately. Staff and City Counsel believes that an urgency ordinance is needed in this instance to insure that the City (with the continued assistance of the Redevelopment Agency) can immediately continue with implementing a variety of pending redevelopment projects and current programs that eliminate and prevent blight, stimulate and expand economic growth throughout the City, create and develop local job opportunities and alleviate deficiencies in the City's public infrastructure.

Moreover, the Agency has only until November 1, 2011, to enact an Ordinance in compliance with AB 27 or else face potential dissolution (depending on the outcome of the CRA Lawsuit and application of the Supreme Court stay order arising therefrom). The City of Bell has faced, in the last year, severe economic, political and administrative crises which have effectively prevented the City from taking any prior action in re AB 27 due to the absence of an active and able legislative body. Given the totality of these circumstances, the City's need to adopt this

Ordinance now has become dire in order to preserve the City's intent to maintain and continue the public benefit programs associated with redevelopment.

The purpose of the companion regular ordinance is to insure that in the event the City is challenged for adopting an urgency ordinance the regular ordinance will be in effect at the time a challenge is filed, which will make the challenge moot.

Lawsuit Challenging AB IX 26 and 27:

On July 18, 2011, the League of California Cities and the California Redevelopment Association filed a petition on behalf of cities, counties and redevelopment agencies asking the California Supreme Court to overturn AB IX 26 and AB IX 27. This case of *California Redevelopment Association, et al. v. Matosantos, et al.*, California Supreme Court Case No. S194861 (the "CRA Lawsuit") was brought on the following grounds:

- AB 27 violates the State Constitution because it requires redevelopment agencies to use their tax increment funds for the benefit of the state and other local jurisdictions;
- AB 26's attempt to restrict the use of redevelopment agencies' funds pending their dissolution violates the State Constitution;
- AB 26's attempt to dissolve the redevelopment agencies violates the State Constitution;
- The AB 27 payments violate the State Constitution to the extent they are made with property tax proceeds;
- The payments violate the State Constitution to the extent they are made with proceeds of local taxes other than property taxes; and
- Requiring local governments to responsibility to shoulder part of the state responsibility to fund schools constitutes an unfunded state mandate.

Other lawsuits challenging the validity of AB 26 and AB 27 also may be filed.

Pending a decision on the merits in the CRA Lawsuit, the California Supreme Court has stayed the effectiveness of portions of AB 26 and AB 27. It remains unclear how the CRA Lawsuit and judicial stay will ultimately impact the ability of cities and redevelopment agencies to opt-in to the AB 27 scheme. It is therefore the intention of the City that the recommended ordinances shall be conditioned upon the outcome of the CRA Lawsuit and stay. If the decision on the merits in the CRA Lawsuit or any other lawsuit challenging the validity of AB 26 and/or 27 holds that provisions of AB 27 authorizing the making of remittances to the County Auditor are invalid for any reason, the ordinances shall be null and void and of no effect and the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay (including the ongoing Supreme Court stay).

ATTACHMENTS:

1. Urgency Ordinance No. 1181
2. Ordinance No. 1182

ORDINANCE NO. 1181

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BELL

WHEREAS, on June 30, 1986, by Ordinance No. 920, the City Council of the City of Bell (“City”) approved and adopted the Redevelopment Plan for the City of Bell Redevelopment Project (“Redevelopment Plan”) covering certain properties within the City (the “Project Area”); and

WHEREAS, the Community Redevelopment Agency of the City of Bell (“Agency”) is engaged in activities to execute and implement the Redevelopment Plan pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) (“CRL”); and

WHEREAS, since adoption of the Redevelopment Plan, the Agency has undertaken redevelopment projects in the Project Area to eliminate blight, to improve public facilities and infrastructure, to renovate and construct affordable housing, and to enter into partnerships with private industries to create jobs and expand the local economy; and

WHEREAS, over the next few years, the Agency hopes to implement a variety of redevelopment projects and programs to continue to eliminate and prevent blight, stimulate and expand the Project Area’s economic growth, create and develop local job opportunities and alleviate deficiencies in public infrastructure, to name a few; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature has recently enacted and the Governor has signed, companion bills AB1X 26 (“AB 26”) and AB1X 27 (“AB 27”), requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, specifically, AB 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

WHEREAS, AB 27 provides that a community may participate in an “Alternative Voluntary Redevelopment Program,” in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the CRL, by enacting an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code; and

WHEREAS, the Alternative Voluntary Redevelopment Program requires that the community agree by ordinance to remit specified annual amounts to the county auditor-controller. To this end, on September 28, 2011, the City Council adopted a resolution stating its intent to comply with AB 27 by adopting the required ordinance, and setting the deadline to adopt such ordinance to November 1, 2011; and

WHEREAS, under the threat of dissolution pursuant to AB 26, and upon the contingencies and reservations set forth herein, the City shall make the Fiscal Year 2011-2012 community remittance, currently estimated to be \$1,100,812, as well as the subsequent annual community remittances as set forth in the CRL; and

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, City understands that an action challenging the constitutionality of AB 26 and AB 27 has been filed on behalf of cities, counties and redevelopment agencies. To wit, the validity of AB 26 and AB 27 is being challenged in a lawsuit entitled *California Redevelopment Association, et al. v. Matosantos, et al.*, California Supreme Court Case No. S194861 (the "CRA Lawsuit") and other lawsuits challenging the validity of AB 26 and AB 27 may be filed. Pending a decision on the merits in the CRA Lawsuit, the California Supreme Court has stayed the effectiveness of portions of AB 26 and AB 27; and

WHEREAS, it remains unclear how the CRA Lawsuit and judicial stay will ultimately impact the ability of cities and redevelopment agencies to opt-in to the AB 27 scheme. It is therefore the intention of the City and the Agency that this Ordinance shall be conditioned upon the outcome of the CRA Lawsuit and stay. If the decision on the merits in the CRA Lawsuit or any other lawsuit challenging the validity of AB 26 and/or 27 holds that provisions of AB 27 authorizing the making of remittances to the County Auditor are invalid for any reason, this Ordinance shall be null and void and of no effect and the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay (including the ongoing Supreme Court stay); and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 26 and AB 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 26 and AB 27; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Participation in the Alternative Voluntary Redevelopment Program. In accordance with Health and Safety Code Section 34193, and based on the Recitals set forth above, the City Council hereby determines that the City shall, to the extent required by law, comply with the provisions of Part 1.9 of Division 24 of the Health and Safety Code, as enacted by AB 27.

Section 3. Payment Under Protest. Except as set forth in Section 4, below, the City Council hereby determines that the City shall make the community remittances set forth in Health and Safety Code section 34194 *et seq.*

Section 4. Effect of Stay or Determination of Invalidity. City shall not make any community remittance pending the current Supreme Court stay per the CRA Lawsuit, nor in the event any other court of competent jurisdiction either grants a stay on the enforcement of AB 26 and AB 27 or determines that AB 26 and AB 1X 27 are unconstitutional and therefore invalid, and all appeals therefrom are exhausted or unsuccessful, or time for filing an appeal therefrom has lapsed. Any community remittance shall be made under protest and without prejudice to the City's right to recover such amount and interest thereon in the event that there is a final determination that AB 26 and AB 27 are unconstitutional. If there is a final determination that AB 26 and AB 27 are invalid, this Ordinance shall be deemed to be null and void and of no further force or effect. This Ordinance shall not effect or give rise to any waiver of rights or remedies that the City may have, whether in law or in equity, to challenge AB 26 or AB 27. This Ordinance shall not be construed as the City's willing acceptance of, or concurrence with, either AB 26 or AB 27; nor does this Ordinance evidence any assertion or belief whatsoever on the part of the City that said bills are constitutional or lawful.

Section 5. Implementation. The City Council hereby authorizes and directs the City Manager to take any action and execute any documents necessary to implement this Ordinance, including but not limited to notifying the Los Angeles County Auditor-Controller, the Controller of the State of California, and the California Department of Finance of the adoption of this Ordinance and the City's agreement to comply with the provisions of Part 1.9 of Division 24 of the Health and Safety Code, as set forth in AB 27.

Section 6. Additional Understandings and Intent. It is the understanding and intent of the City Council that, once the Agency is again authorized to enter into agreements under the CRL, the City will, or has already, enter(ed) into an agreement with the Agency as authorized pursuant to Section 34194.2, whereby the Agency will transfer annual portions of its tax increment to the City in amounts not to exceed the annual community remittance payments to enable the City, directly or indirectly, to make the annual remittance payments. The City Council does not intend, by enactment of this Ordinance, to pledge any of its general fund revenues or assets to make the remittance payments. The City reserves the right to withdraw

from making the payments required by AB 27 should the amount of such payments (as will be determined by the State Department of Finance) prove to be in excess of the City's available funds not otherwise obligated for other uses.

Section 7. CEQA. The City Council finds, under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a "project," but instead consists of the creation and continuation of a governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Los Angeles in accordance with CEQA Guidelines.

Section 8. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City Clerk's office located at 6330 Pine Ave., Bell, CA 90201. The Bell City Clerk is the custodian for these records.

Section 9. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 10. Certification; Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Bell, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

Section 11. Urgency Findings. The adoption of this Urgency Ordinance is necessary for the immediate protection of the public peace, health and safety. In accordance with California Government Code Section 36937 and in order to protect the public peace, health and safety, the City Council of the City of Bell finds and determines as follows:

(a) AB 26 prohibits agencies from taking numerous actions, until the City Council adopts an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code, including but not limited to incurring any new monetary or legal obligations or expanding any existing monetary or legal obligations, entering into agreements with any person for any purpose or amending or modifying any existing agreements and taking any action with respect to a redevelopment plan;

(b) Prior to the enactment of an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code, the Agency will be unable to continue efforts to eliminate and prevent blight (including remediation of buildings and structures which are

unhealthy or unsafe to occupy or properties with hazardous waste), stimulate and expand the Project Area's economic growth, create and develop local job opportunities and alleviate deficiencies in public infrastructure;

(c) Blighting conditions in the Project Area constitute substantial threats to public peace, health and safety, and are so prevalent they cannot be eliminated without Agency action, including but not limited to the use of Agency funds and authorization of redevelopment projects and programs;

(d) During the current economic crisis, the Agency must have the ability to act and continue the efforts set forth in (b) above. The Agency must have all tools available in order to eliminate and prevent blighting conditions, including implementation of the Agency's economic development programs.

(e) The Agency is actively engaged in efforts to rehabilitate housing units, to provide assistance for property improvements and to provide safe and affordable housing. Adoption of this Urgency Ordinance will permit the Agency to continue these efforts immediately.

(f) The Agency has only until November 1, 2011, to enact an Ordinance in compliance with AB 27 or else face potential dissolution (depending on the outcome of the CRA Lawsuit and application of the Supreme Court stay order arising therefrom). The City of Bell has faced, in the last year, severe economic, political and administrative crises which have effectively prevented the City from taking any prior action in re AB 27 due to the absence of an active and able legislative body. Given the totality of these circumstances, the City's need to adopt this Ordinance now has become dire in order to preserve the City's intent to maintain and continue the public benefit programs associated with redevelopment.

Section 12. Effective Date. The City Council hereby declares, on the basis of the findings set forth above, that an emergency exists and that this Ordinance is necessary to preserve the public peace, health and safety. Accordingly, this Ordinance is adopted as an emergency ordinance and shall take effect and be in force immediately upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council on the 26th day of October, 2011, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Ali Saleh, Mayor

ATTEST:

Rebecca Valdez, CMC, City Clerk

ORDINANCE NO. 1182

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, DETERMINING IT WILL COMPLY WITH THE VOLUNTARY ALTERNATIVE REDEVELOPMENT PROGRAM PURSUANT TO PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BELL

WHEREAS, on June 30, 1986, by Ordinance No. 920, the City Council of the City of Bell ("City") approved and adopted the Redevelopment Plan for the City of Bell Redevelopment Project ("Redevelopment Plan") covering certain properties within the City (the "Project Area"); and

WHEREAS, the Community Redevelopment Agency of the City of Bell ("Agency") is engaged in activities to execute and implement the Redevelopment Plan pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, et seq.) ("CRL"); and

WHEREAS, since adoption of the Redevelopment Plan, the Agency has undertaken redevelopment projects in the Project Area to eliminate blight, to improve public facilities and infrastructure, to renovate and construct affordable housing, and to enter into partnerships with private industries to create jobs and expand the local economy; and

WHEREAS, over the next few years, the Agency hopes to implement a variety of redevelopment projects and programs to continue to eliminate and prevent blight, stimulate and expand the Project Area's economic growth, create and develop local job opportunities and alleviate deficiencies in public infrastructure, to name a few; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature has recently enacted and the Governor has signed, companion bills AB1X 26 ("AB 26") and AB1X 27 ("AB 27"), requiring that each redevelopment agency be dissolved unless the community that created it enacts an ordinance committing it to making certain payments; and

WHEREAS, specifically, AB 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

WHEREAS, AB 27 provides that a community may participate in an "Alternative Voluntary Redevelopment Program," in order to enable a redevelopment agency within that community to remain in existence and carry out the provisions of the CRL, by enacting an ordinance agreeing to comply with Part 1.9 of Division 24 of the Health and Safety Code; and

WHEREAS, the Alternative Voluntary Redevelopment Program requires that the community agree by ordinance to remit specified annual amounts to the county auditor-controller. To this end, on September 28, 2011, the City Council adopted a resolution stating its intent to comply with AB 27 by adopting the required ordinance, and setting the deadline to adopt such ordinance to November 1, 2011; and

WHEREAS, under the threat of dissolution pursuant to AB 26, and upon the contingencies and reservations set forth herein, the City shall make the Fiscal Year 2011-2012 community remittance, currently estimated to be \$1,100,812, as well as the subsequent annual community remittances as set forth in the CRL; and

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, City understands that an action challenging the constitutionality of AB 26 and AB 27 has been filed on behalf of cities, counties and redevelopment agencies. To wit, the validity of AB 26 and AB 27 is being challenged in a lawsuit entitled *California Redevelopment Association, et al. v. Matosantos, et al.*, California Supreme Court Case No. S194861 (the "CRA Lawsuit") and other lawsuits challenging the validity of AB 26 and AB 27 may be filed. Pending a decision on the merits in the CRA Lawsuit, the California Supreme Court has stayed the effectiveness of portions of AB 26 and AB 27; and

WHEREAS, it remains unclear how the CRA Lawsuit and judicial stay will ultimately impact the ability of cities and redevelopment agencies to opt-in to the AB 27 scheme. It is therefore the intention of the City and the Agency that this Ordinance shall be conditioned upon the outcome of the CRA Lawsuit and stay. If the decision on the merits in the CRA Lawsuit or any other lawsuit challenging the validity of AB 26 and/or 27 holds that provisions of AB 27 authorizing the making of remittances to the County Auditor are invalid for any reason, this Ordinance shall be null and void and of no effect and the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay (including the ongoing Supreme Court stay); and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 26 and AB 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 26 and AB 27; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

THE CITY COUNCIL OF THE CITY OF BELL, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Participation in the Alternative Voluntary Redevelopment Program. In accordance with Health and Safety Code Section 34193, and based on the Recitals set forth above, the City Council hereby determines that the City shall, to the extent required by law, comply with the provisions of Part 1.9 of Division 24 of the Health and Safety Code, as enacted by AB 27.

Section 3. Payment Under Protest. Except as set forth in Section 4, below, the City Council hereby determines that the City shall make the community remittances set forth in Health and Safety Code section 34194 *et seq.*

Section 4. Effect of Stay or Determination of Invalidity. City shall not make any community remittance pending the current Supreme Court stay per the CRA Lawsuit, nor in the event any other court of competent jurisdiction either grants a stay on the enforcement of AB 26 and AB 27 or determines that AB 26 and AB 1X 27 are unconstitutional and therefore invalid, and all appeals therefrom are exhausted or unsuccessful, or time for filing an appeal therefrom has lapsed. Any community remittance shall be made under protest and without prejudice to the City's right to recover such amount and interest thereon in the event that there is a final determination that AB 26 and AB 27 are unconstitutional. If there is a final determination that AB 26 and AB 27 are invalid, this Ordinance shall be deemed to be null and void and of no further force or effect. This Ordinance shall not effect or give rise to any waiver of rights or remedies that the City may have, whether in law or in equity, to challenge AB 26 or AB 27. This Ordinance shall not be construed as the City's willing acceptance of, or concurrence with, either AB 26 or AB 27; nor does this Ordinance evidence any assertion or belief whatsoever on the part of the City that said bills are constitutional or lawful.

Section 5. Implementation. The City Council hereby authorizes and directs the City Manager to take any action and execute any documents necessary to implement this Ordinance, including but not limited to notifying the Los Angeles County Auditor-Controller, the Controller of the State of California, and the California Department of Finance of the adoption of this Ordinance and the City's agreement to comply with the provisions of Part 1.9 of Division 24 of the Health and Safety Code, as set forth in AB 27.

Section 6. Additional Understandings and Intent. It is the understanding and intent of the City Council that, once the Agency is again authorized to enter into agreements under the CRL, the City will, or has already, enter(ed) into an agreement with the Agency as authorized pursuant to Section 34194.2, whereby the Agency will transfer annual portions of its tax increment to the City in amounts not to exceed the annual community remittance payments to enable the City, directly or indirectly, to make the annual remittance payments. The City Council does not intend, by enactment of this Ordinance, to pledge any of its general fund revenues or assets to make the remittance payments. The City reserves the right to withdraw

from making the payments required by AB 27 should the amount of such payments (as will be determined by the State Department of Finance) prove to be in excess of the City's available funds not otherwise obligated for other uses.

Section 7. CEQA. The City Council finds, under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a "project," but instead consists of the creation and continuation of a governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Los Angeles in accordance with CEQA Guidelines.

Section 8. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City Clerk's office located at 6330 Pine Ave., Bell, CA 90201. The Bell City Clerk is the custodian for these records.

Section 9. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 10. Certification; Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Bell, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

Section 11. Effective Date. This Ordinance shall become effective thirty (30) days from its adoption.

PASSED AND ADOPTED as to the First Reading at a regular meeting of the City Council on the 26th day of October, 2011, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Ali Saleh, Mayor

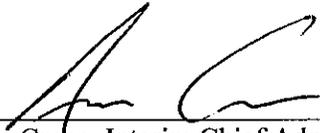
ATTEST:

Rebecca Valdez, CMC, City Clerk

City of Bell Agenda Report

DATE: October 26, 2011
TO: Mayor and Members of the City Council
FROM: Carlos Alvarado, City Engineer

APPROVED
BY:



Arne Croce, Interim Chief Administrative Officer

SUBJECT: Acceptance of Work – Florence Ave. Street Rehabilitation Project from Wilcox Ave. to Walker Ave. – Project No. 32-525-7006-0925

RECOMMENDATION:

City Council accept all road rehabilitation work performed under this contract. The Contractor, Sully-Miller from Brea, CA completed work on October 14, 2011.

BACKGROUND:

The Original bid was \$294,536. There was one (1) change order in the amount of \$825, for the preparation of Corner Records monumented at two intersections. The final project cost is \$271,478.124. This project was funded 100% with Federal Exchange Funds secured with the assistance of the Metropolitan Transit Authority (MTA).

THAT THE CITY COUNCIL BY MOTION:

1. Accept the work as completed by Sully-Miller, Brea, CA
2. Authorize the City Clerk to file a Notice of Completion
3. Authorize the release of all retention payments 35 days after the recorded date of Notice of Completion, pending any stop notices of City Claims.

ATTACHMENTS

Notice of Completion.

**RECORDING REQUESTED BY
CITY OF BELL**

**WHEN RECORDED MAIL TO:
City of Bell
6330 Pine Ave.
Bell, CA 90201
Attn: Rebecca Valdez, City Clerk**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE PURSUANT TO CIVIL CODE SECTION 3093, MUST BE FILED WITHIN 10 DAYS AFTER COMPLETION

Notice is hereby given that:

1. The undersigned is owner of or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is CITY OF BELL
3. The full address of the owner is 6330 Pine Ave., Bell, California 90201.
4. The nature of the interest or estate is; In fee.
5. The work of improvement(s) on the property hereinafter described was completed on October 14, 2011. The work done was the Florence Ave. Street Rehabilitation Project from Wilcox Ave. to Walker Ave. – Project No. 32-525-7006-0925
6. The name of the Contractor for such work improvement was Sully-Miller, of Brea, California.
7. The property on which said work of improvement was completed is in the City of Bell, County of Los Angeles, State of California, and is described as follows: The construction of curb ramps per the Americans with Disabilities Act (ADA), new asphalt cap and striping on Florence Ave. from Wilcox Ave. to Walker Ave.

DATED: October __, 2011

CITY OF BELL

**ARNE CROCE
Interim Chief Administrative Officer**

VERIFICATION

I, the undersigned, say: I am the Interim Chief Administrative Officer of the City of Bell, the declarant of the foregoing notice of completion; I have read said notice of completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October __, 2011, at Bell, California.

ARNE CROCE

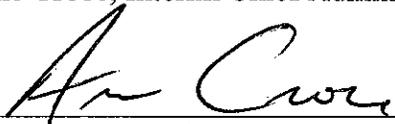
City of Bell Agenda Report

DATE: October 26, 2011

TO: Mayor and Members of the City Council

FROM: Arne Croce, Interim Chief Administrative Officer

APPROVED
BY:


Arne Croce, Interim Chief Administrative Officer

SUBJECT: Contract with CPS HR for a Classification and Compensation Study.

Recommendation

The City Council authorize the Interim Chief Administrative Officer to execute an agreement with CPS HR in an amount not to exceed \$34,000 to conduct a classification and compensation study for the City of Bell.

Background

The services provided by the City of Bell, or any local government, are labor intensive, which makes the cost of maintaining the workforce the largest single expense of the City. Therefore, the primary driver of the cost of services is the compensation (salary and benefits) paid to the workforce. In order to make sound decisions on workforce compensation, the City Council needs to have full knowledge of the financial impacts of the various compensation-related policies, such as the salary ranges for different positions, the type of retirement plans that may be offered to employees, and the how much the employees should share in the cost of health care.

The two building blocks of a compensation policy are:

- Knowing the specific jobs performed by City employees; and
- Knowing the compensation paid by comparable employers for similar jobs.

Gathering this information is the purpose of a classification and compensation study. The retention of a qualified consulting firm to conduct a classification and compensation study was one of the priority objectives approved by the City Council on September 14, 2011.

A classification and compensation study is a basic tool of sound personnel management and cost control. However, there is no evidence the City of Bell has ever conducted a classification and compensation study. As a result, there are very few job descriptions; employees with the same job classification perform very different functions; decisions on the salary for various positions appear to be arbitrary and not grounded in any labor market analysis; and, in light of changes that many public agencies have made in recent years to their compensation policies, the current benefits for City employees appear to be generous. A classification and compensation study will provide the City Council and staff with the data to help address all of these issues and to develop a compensation policy appropriate for the City of Bell. The study will also provide the Council

and administration with valid and reliable compensation information with which to approach the upcoming negotiations with the Police Officers' Association.

A classification and compensation study consists of two phases. In the first phase, classification, the specific jobs being performed by current employees are determined and defined, and a job description for each position is developed and assigned a classification, or title with job specifications.

The second phase, compensation, consists of identifying agencies that have comparable classifications and are competitive employers to the City; conducting a survey of the compensation paid to similar classifications by those comparable employers, and comparing the City of Bell's compensation practices with those comparable cities. This information will allow the Council to make informed choices on the salaries and benefits to provide to the workforce and to give fact-based direction to staff for negotiations with the recognized employee groups.

CPS HR is a joint powers public agency of 12 public agencies that is headquartered in Sacramento. CPS HR provides a full range of human resource consulting services exclusively to public agencies. Conducting classification and compensation studies is one of their core services. At my request, CPS has provided the attached proposal to conduct a classification and compensation study for the City of Bell. The proposal is inclusive of:

- Orientation meetings with the City Council and City employees
- Administration of a Position Description Questionnaire (PDQ) to all non-sworn full time employees
- Development of job descriptions and classification titles
- The identification of comparable jobs in other local employers
- A survey of the compensation of comparable employers for comparable jobs
- A comparison of the City of Bell's compensation with those of comparable employers
- Development of a recommended classification plan
- Industry standard classification specifications for part-time employees

CPS HR is well qualified to conduct the classification and compensation study. The firm has selected a very experienced consulting team to work for the City of Bell. The project manager will be David Morgan, former City Manager of the City of Anaheim.

Financial Impact

CPS HR has proposed a fee of \$31,343.35 plus estimated expenses of \$1,178. The hourly rates are competitive for consulting services and the firm is extending a 5% discount to the City of Bell. As such a study has never before been performed for the City, unforeseen circumstances may present themselves during the course of the study; therefore, it is recommended that some flexibility be built in to the project by approving the agreement with a total project cost to not exceed \$34,000. This study will be funded out of the \$350,000 transition management program allocated by the City Council in the current year's budget (account no 01-521-0900-0783) .

CITY OF BELL

**CONTRACT SERVICES AGREEMENT WITH CPS HR
CONSULTING TO CONDUCT A CLASSIFICATION AND
COMPENSATION STUDY**

THIS CONTRACT SERVICES AGREEMENT (herein "Agreement") is made and entered into this 26 day of October 2011, by and between the CITY OF BELL herein ("City") and CPS HR herein "Contractor").

NOW, THEREFORE, the parties hereto agree as follows:

1. SERVICES OF CONTRACTOR

1.1 Scope of Services. In compliance with all of the terms and conditions of this Agreement, the Contractor shall perform the work or services set forth in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by reference. Contractor warrants that all work and services set professional and satisfactory manner.

1.2 Compliance With Law. All work and services rendered hereunder shall be provide in accordance with all ordinances, resolutions, statutes, rules, and regulations of the City and any Federal, State or local governmental agency of competent jurisdiction.

1.3 Licenses, Permits, Fees and Assessments. Contractor shall obtain at its sole cost and expense such licenses, permits, and approvals as may be required by law for the performance of the services required by the Agreement.

2. COMPENSATION

2.1 Contract Sum. For the services rendered pursuant to this Agreement, Contractor shall be compensated in accordance with the "Schedule of Compensation" attached hereto as a portion of Exhibit "A" and incorporated herein by this reference, but not exceeding the maximum contract amount of Thirty-four thousand Dollars (\$ 34,000) ("Contract Sum").

2.2 Method of Payment. Provided that Contractor is not in default under the terms of this Agreement, Contractor shall be paid for work billed and approved on a monthly invoice, with ten percent (10%) retained until the completion of the entire scope of work.

3. COORDINATION OF WORK

3.1 Representative of Contractor. Arne Croce, Interim Chief Executive Officer of City is hereby designated as being the principal and representative of Contractor authorized to act in its behalf with respect to the work and services specified herein and make all decisions in connection therewith.

3.2 Contract Officer. Connie Champnoise, Director of CPS HR Consulting is hereby designated as being the representative the City authorized to act in its behalf with respect to the work and services specified herein and make all decisions in connection therewith ("Contract Officer"). The City Manager of City shall have the right o designate another Contract Officer by providing written notice to Contractor.

3.3 Prohibition Against Subcontracting or Assignment. Contractor shall not contract with any entity to perform in whole or in part the work or services required hereunder without the express written approval of the City. Neither this Agreement nor any interest herein may be assigned or transferred, voluntarily or by operation of law, without the prior written approval of City. Any such prohibited assignment or transfer shall be void.

3.4 Independent Contractor. Neither the /city nor any of its employees shall have any control over the manner, mode or means by which Contractor, its agents or employees, perform the services required herein, except as otherwise set forth. Contractor shall perform all services required herein as an independent contractor consistent with that role. Contractor shall not at any time or in any manner represent that it or nay of its agent or employees are agents or employees of City.

4. **INSURANCE AND INDEMNIFICATION**

4.1 Insurance. The Contractor shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to City, during the entire term of this Agreement including any extension thereof, the following policies of insurance:

a. Comprehensive General Liability Insurance. A policy of comprehensive general liability insurance written on a per occurrence basis in an amount not less than either (i) a combined single limit of \$500,000.00 per occurrence and \$500,000.00 products and completed operations and property damage limits of \$100,000.00 per occurrence and \$100,000.00 in the aggregate.

b. Worker's Compensation Insurance. A policy of worker's compensation insurance in such amount as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City against any loss, claim or damage arising from any injuries or occupational diseases occurring to any worker employed by or any persons retained by the Contractor in the course of carrying out the work or services contemplated in this Agreement.

c. Automotive Insurance. A policy of comprehensive automobile liability insurance written on a per occurrence basis in an amount not less than either (i) bodily injury liability limits of \$250,000.00 per person and \$500,000.00 per occurrence and property damage liability limits of \$100,000.00 per occurrence and \$250,000.00 in the aggregate or (ii) combined single limit liability of \$500,000.00. Said policy shall include coverage for owned, non-owned, leased, and hired cars.

All of the above policies of insurance shall be primary insurance and shall name the City, its officers, employees, and agents as additional insured's. The insurer shall waive all rights of subrogation and contribution it may have against the City, its officers, employees and agents and

their respective insurers. All of said policies of insurance shall provide that said insurance may not be amended or canceled without providing thirty (30) days prior written notice by registered mail to the City. In the event any of said policies of insurance are canceled, the Contractor shall, prior to the cancellation date, submit new evidence of insurance in conformance with this Section 4.1 to the Contract Officer. No work or services under this Agreement shall commence until the Contractor has provided the City with Certificates of Insurance or appropriate insurance binders evidencing the above insurance coverages and said Certificates of Insurance of binders are approved by the City.

The Contractor agrees that the provisions of this Section 5.1 shall not be construed as limiting in any way the extent to which the Contractor may be held responsible for the payment of damages to any persons or property resulting from the Contractor's activities or the activities of any person or persons for which the Contractor is otherwise responsible.

The insurance required by this Agreement shall be satisfactory only if issued by companies qualified to do business in California, rated "A" or better in the most recent edition of Best Rating Guide, The Key Rating Guide or in the Federal Register, and only if they are of a financial category Class VII or better, unless such requirements are waived by the Director of Administrative Services or designee of the City due to unique circumstances.

4.2 Indemnification. Contractor agrees to indemnify the City, its officers, agents and employees against, and will hold and save them and each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities, including paying any legal costs, attorneys fees, or paying any judgment (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the negligent performance of the work or services of Contractor, its agents, employees, subcontractors, or invites, provided for herein, or arising from the negligent acts or omissions of Contractor hereunder, or arising from Contractor's negligent performance of or failure to perform any term, provisions covenant liabilities to the extent caused by the sole negligence or willful misconduct of the City.

5. TERM

5.1 Term. Unless earlier terminated in accordance with Section 5.3 below, this Agreement shall continue in full force and effect until completion of all work contained in the scope of work.

5.2 Termination Prior to Expiration of Term. Either party may terminate this Agreement at any time, with or without cause, upon thirty (30) days' written notice to the other party. Upon receipt of the notice of termination, the Contractor shall immediately cease all work or services hereunder except as may be specifically approved by the City, Contractor shall be entitled to compensation for all services rendered prior to the effectiveness of the notice of termination and for such additional services specifically authorized by the Contractor Officer and City shall be entitled to reimbursement for any compensation paid in excess of the services rendered.

6. MISCELLANEOUS

6.1 Covenant Against Discrimination. Contractor covenants that, by and for itself, its heirs, executors, assigns and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color creed, religion, sex, marital status, national origin, or ancestry in the performance of this Agreement. Contractor shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color creed, religion, sex, marital status, national origin, or ancestry.

6.2 Non-liability of City Officers and Employees. No officer or employee of the City shall be personally liable to the Contractor, or any successor in interest, in the event of any default or breach by the City or for any amount, which may become due to the Contractor or to its successor, or for breach of any obligation of the terms of this Agreement.

6.3 Conflict of Interest. No officer or employee of the City shall have any financial interest, direct or indirect, in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which effects his financial interest or the financial interest of any corporation, partnership or association in which he is, directly or indirectly, interested, in violation of any State statute or regulation. The Contractor warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement.

6.4 Notice. Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of the City, to the Interim Chief Administrative Officer and to and in the case of the Contractor, to the person at the address designated on the execution page of this Agreement.

6.5 Interpretation. The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

6.6 Integration; Amendment. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

6.7 Severability. In the event that part of this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining portions of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

6.8 Waiver. No delay or omission in the exercise of any right or remedy by non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. A party's consent to or approval of any act by the other party requiring the party's consent or approval shall not be deemed to waive or render unnecessary the other party's consent to or approval of any subsequent act. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

6.9 Attorneys' Fees. If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which any be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees, whether or not the matter proceeds to judgment.

6.10 Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

IN WITNESS WHEREOF, the parties have executed and entered into this Agreement as of the date first written above.

[Signatures on the following page.]

CITY

CITY OF BELL

Interim Chief Administrative Officers

ATTEST

City Clerk

APPROVED AS TO FORM:

City Attorney

CONTRACTOR

CPS HR Consulting

By: _____
Name

Its: _____

By: _____
Name

Its: _____

[END OF SIGNATURES]

EXHIBIT "A"

PROPOSED WORK PLAN FOR CPS HR CONSULTING ATTACHED



Proposed Work Plan

Classification Study and Agency Benchmarking Tasks

In reviewing and designing classification systems, it is important that the following factors be evaluated:

- **Establishment of Classification Concepts and Allocation Factors** – As the foundation upon which all classification and compensation decisions are based, there should be underlying concepts that clearly identifies how levels of work are titled, differences within these job levels and how different levels are distinguished. Allocation factors should be established and utilized consistently throughout each analysis.
- **Defensibility** – This requires that any classification methodology, irrespective of where the methodology is used, must stand on its own merits under the scrutiny of multiple stakeholders.
- **Comprehensiveness and Clarity** – The classification structure should be comprehensive and inclusive of all functional areas and levels of work. It should also be clear, concise and understood not only by those who administer it, but those affected by the classification decisions. While this may not satisfy all employees or their management on final classification recommendations, it is easier to gain acceptance if the process is transparent and employees and management recognize the reasoning behind the broader classification decision.
- **Administration** – Classification plan administrative tasks should not be so cumbersome or complex that they hinder timely and efficient ongoing maintenance.
- **Timeliness** – For classification decisions to be accepted by both employees and management, classification decisions must be timely. The longer classification decisions take, the more employee and managerial dissatisfaction with the system is likely to occur.
- **Accountability** – The human resources function and its classification decisions are not without regular challenge. Therefore, in order for any plan to be effective, there must be accountability and integrity at all levels of the process.

Task 1 – Review of the City’s Background Materials - Upon contract execution, CPS HR will request background information from the City in order to ensure the project team is prepared for the initial study meeting. To develop a full understanding of the organization, its policies, procedures, internal structure, and the work performed, our team will review the current compensation and classification plan, job descriptions, organization charts, pay schedules, benefit information, internal alignment policies and any other documentation relating to the study. The project team will review the materials prior to the project initiation meeting to ensure that they have a sound understanding of the City’s current compensation strategy and classification and compensation system.

Task 2 - Develop Job Evaluation Tools – Our team will develop tools to ensure valid information is gathered, analyzed, and documented consistently. For this study, CPS HR recommends the use of a Position Description Questionnaire (PDQ) (Appendix A - Sample PDQ Questionnaire). The PDQ will be developed in such a way that, for each essential function, employees will need to identify the percentage of time spent on the function.

CPS HR will conduct the classification study and prepare or revise classification specifications and allocation recommendations for all regular full time positions excluding the sworn classifications. Since sworn classifications are not subject to reclassification and because Police Department models vary significantly from agency to agency based on a number of criteria, CPS HR has also excluded the Police Department positions from the classification benchmarking study. Sworn positions will be included in the compensation component of the study.

CPS HR understands that the City has part-time recreation positions which are not part of the study. CPS HR will provide the City with industry standard classification specifications for this employee group but will not include these employees in the PDQ and allocation processes. Recreation classifications will be included in the compensation component of the study.

Task 3 – Project Initiation Meetings – The CPS HR Project Manager (Mr. Morgan) and Technical Advisor (Ms. Owen) will meet with the Interim City Manager and the City Council to agree upon the project’s full scope, contract deliverables and goals, to clarify issues, and to identify communication processes. The study goal is to ensure that (i) the resulting classification structure is sound and reflective of the work which needs to be performed to meet the City’s operational needs [versus what people may or may not be doing now]; and (ii) the City Council has comprehensive and reliable data upon which to develop compensation policies that are externally competitive, internally equitable and fiscally sustainable.

Task 4 – Conduct Orientation Sessions – During the same on site visit as Task #3, Mr. Morgan and Ms. Owen will conduct two orientation sessions for the City’s regular full time employees included within the scope of the study. During these sessions, CPS HR will (i) provide the same study goals and overview as was given to the City Council; (ii) discuss the study timeframes; (iii) provide an overview of the classification and compensation study process; (iv) respond to any questions or concerns; and (v) distribute and provide direction on how to complete the PDQ.

Task 5 – PDQ Completion by Employees - All regular full time employees included in the study will be asked to complete a Position Description Questionnaire. Since many of the management positions are no longer in place, validation that the employees have accurately and sufficiently captured all pertinent information is not possible. Therefore, the work plan does not include affirmation by management. CPS HR consultants will utilize our in depth of knowledge of municipal services and related classification structures/job content, as well as the data collected from the benchmarking survey to confirm whether or

not the information provided is job related and reasonable based on the classifications being studied. Completed PDQs will be sent directly to CPS HR for review.

Task 6 – Review and Analyze PDQs - The CPS HR Project Team will thoroughly review each PDQ to obtain an understanding of the duties and responsibilities assigned to each position. If necessary, CPS HR may conduct telephone interviews with certain employees to clarify any questions we may have on their PDQ written submissions. The proposal does not include a process for onsite employee interviews nor a guarantee that all or a particular percentage of employees will receive telephone interviews.

Task 7 – Agency Benchmarking Survey – CPS HR will conduct a benchmarking survey to identify the types of classifications required to provide City services, and compare classification levels and staffing for each classification within other agencies. To select relevant benchmarking agencies, CPS HR will utilize agency selection criteria such as population served, similarity in economic demographics, and services provided; however, proximity to the City of Bell will not necessarily be the only agency selection criteria as in the compensation study. CPS HR will identify (six) 6 agencies similar to the City of Bell to survey for the purposes of benchmarking classifications and staffing levels.

Task 8 – Analyze Benchmark Agency and City of Bell Classification Data/ Prepare Draft Classification Report. – CPS HR will compare results of the benchmarking survey relative to submitted PDQ's, and will prepare a Draft Classification Report. These draft results will be presented to the Interim City Manager for discussion and comment. The report will comprise the following sections:

1. Benchmark agency selection criteria
2. Classification structure
3. Classification specifications
4. Allocation of positions into the classification structure where there is clear alignment between benchmark agency results and information received from City of Bell
5. Identification of positions/scopes of work outside the benchmark agency results and/or recommended classification structure for the City's consideration/action
6. Since this is not an in-depth staffing study, no recommendations on specific staffing levels for City of Bell will be made

The project team will conduct a conference call with the Interim City Manager to discuss the Draft Classification Report and Benchmarking Survey. CPS HR will review and respond to any feedback, comments, issues and concerns.

Task 9 – Develop and/or Revise Classification Plan and Classification Specifications - The classification specifications will be reviewed and revised or developed in conjunction with the classification plan structure. The format for class specification revisions will be submitted to the Interim City Manager for approval. Our methodology for this task will result in:

1. Accurately identifying the specific essential duties and responsibilities, required knowledge, skills and abilities, minimum education and experience requirements, and minimum special qualifications for each position in the study.
2. Reviewing, revising, editing and developing written classification specifications for each study classification that clearly specify and describe a general statement of duties, any distinguishing features of the class, essential duties, knowledge, skills and abilities, acceptable minimum education and experience, required special training and certifications.
3. Describing the typical work environment for the classification.
4. Ensuring compliance with the provisions of the Americans with Disabilities Act (ADA)

CPS HR will provide each regular full-time employee with a copy of the classification specification for his/her position for comments and feedback. CPS HR will address and respond to employee requests for classification specification changes, but will not conduct an employee review of position allocation recommendations.

Task 10 – Research and Resolve Issues from Draft Classification Report Review - Based upon the City's review of the Draft Classification Report, the project team will follow up on any issues resulting from this review.

Task 11 – Prepare and Present Final Classification Report - An original, an electronic copy in Word format and the requested number of copies of the Final Classification Report that includes the results of the benchmark survey and classification analysis, and study findings/recommendations will be presented to the Interim City Manager. Communication of the final study results and implementation to the City Council will be performed by the CPS HR Project Manager, Technical Advisor and the Interim City Manager. CPS HR anticipates that implementation of classification study results will be phased in over a period of time, particularly if duties are changed or re-assigned to address the reorganization of administration functions or mitigate employee issues; thus our current work plan does not include implementation of study results, but these services can be provided at a later date on an hourly basis if needed.

Total Compensation Study Tasks

In reviewing the study goals for the City, CPS HR believes that the proper development and implementation of a comprehensive market based compensation plan, combined with a structured approach to internal equity through whole job analysis, will provide a strong and sound foundation for its compensation plan.

Task 1 – Review of City’s Background Materials - Concurrent with Task #1 in the classification component of the study. CPS HR will request background information to develop a full understanding of the organization. Our team will review the current salary list, salary schedules, salary adjustment history, compensation policy and any other documentation relating to the City’s current compensation plan.

Task 2 – Initial Project Meeting/Identify Labor Market/Benchmark Selection – During the same on-site visit as Task #3 in the classification component of the study, the CPS HR Project Manager and Technical Advisor will meet with the Interim City Manager and City Council to initiate the study and communicate study goals, objectives, and methodologies. For this initial project meeting, CPS HR will conduct a workshop with these key stakeholders to discuss and obtain consensus on the following study components:

Benchmark Classifications

Benchmark classification titles serve as the foundation for the City’s compensation plan and it will be important to undertake a structured approach to their selection. Prior to the initial meeting CPS HR will have reviewed all of the City’s classification specifications to the extent they exist and will enter the initial project meeting with recommendations regarding potential benchmarks. Benchmark classifications are described as:

- Class titles for which counterparts can readily be found in surveyed employers so that sufficient compensation data can be gathered
- Class titles which have significant relationships to other job titles in their occupational group, to the extent that they may be used to set salaries of other class titles within their occupational group.

For full time classifications CPS HR recommends that the number of benchmark classifications to be surveyed comprise thirty-three (33). We consider this number of benchmarks will provide the City with the market data needed to design a comprehensive compensation plan; these benchmarks can then be used as building blocks for the internal equity process. Should the City desire that more or less benchmarks be used, CPS HR will be pleased to revise the scope of work and budget accordingly.

Labor Market Agencies

The selection of labor market agencies is a compensation policy decision which requires an in-depth review of multiple factors. The criteria that are typically used in assessing comparable agencies include:

- Geographic Proximity- In many agencies, it is common to identify a local market from which most of the workforce is drawn; thus geographic proximity is a strong consideration. However, it is often the case that specialized skilled, professional,

management and executive employees are recruited from a state-wide, regional or national market. Hence the agency may choose to have a tiered market approach to ensure comprehensive coverage of all City job titles.

- Size of the organization - measures may include population served, and number of employees.
- Services provided to ensure sufficient market comparable for the full range of services the City provides to its citizens.
- Additionally, we consider what agencies the City may have historically used to compare against and what organizations the City competes with for talent on a local, statewide, regional or national basis.

Cost of living/Cost of Wages Differences – When assessing regional and national markets, it is important to identify any cost of living and cost of wages differences to ensure data is not skewed by significant economic condition differences within any recommended agencies. To facilitate this analysis, CPS HR utilizes databases compiled by the Economic Research Institute to evaluate labor market agency cost of living/cost of wage differences.

The budget prepared for this proposal assumes ten (10) labor market agencies. Should the City desire that more or less labor market agencies be used, CPS HR will be pleased to revise the scope of work and budget accordingly.

Labor Market Position

This policy decision relates to the position within the labor market which the City wishes to adopt, e.g., the labor market median [middle of all comparator agency data], mean [average of all comparator agency data] or another percentile. We will explore the different labor market position options and provide details on the pros and cons of each, so that City Council can determine the position most appropriate for the City.

As a deliverable of the workshop session, CPS HR will provide the City with a formal memo documenting the decisions on the following policy matters:

- Benchmark classifications
- Labor market agencies
- Labor market position

Task 3 – Design, Develop and Distribute Survey Instrument - The project team will develop a comprehensive survey instrument to ensure the effective collection of salary and benefit information from each of the survey agencies identified by the City. In addition, we will request copies of class specifications, organization charts, staffing information and other useful reference materials to substantiate the accuracy of the comparability of the matches. It is critical that the project team review such documents since titles alone can often be misleading and should not be relied upon. The survey will also have a benefits data and/or practices section to capture relevant total compensation data. A sample total compensation survey instrument is presented in Appendix B.

When CPS HR conducts a total compensation study; we typically collect, analyze and report on the following data:

- Base salary include range minimum and maximum amounts
- Cash add-ons such as retirement pickup, longevity pay, deferred compensation, education incentives, any other cash related payments
- Agency contribution to the most commonly used medical, dental and vision plans, and to long term disability and life insurance programs
- Agency contribution to all retirement plans.

Although the following are not used in a total compensation analysis model, they are compensable and/or provide relevant insights into market practices

- Paid time off practices including vacation, holidays, administrative leave, sick leave
 - Amounts allowed and any payout practices
- Employee cost sharing for medical, dental and vision plans
- Any special/certification pay practices

CPS HR's survey instruments are designed to be completed electronically or, if need be, in hard copy.

Task 4 – Review, Analyze and Validate Labor Market Survey Data - The survey information collected will be analyzed and placed into data spreadsheets. In conjunction with the survey instrument received from each labor market agency, the project team will review any additional background materials that become available. Once the project team has completed their tasks, the Technical Advisor will audit the final data as part of our quality review prior to submission to the City. CPS HR has determined that this method of data collection, analysis and audit provides our clients with credible and accurate data, a critical element in any compensation study.

Task 5 – Design and Develop Data Spreadsheets – CPS HR will develop an individual data sheet for each survey job title that presents the comparable job title used in each agency with the relevant data associated with that job title, such as the salary range minimum and maximum and any cost of wage adjustments. The labor market data analyses will be conducted based upon labor market position, i.e., labor market median, mean, or other percentile. A data sheet will be prepared for each benchmark survey job title. Each comparable match for each benchmark job title is reported in the relevant data sheet for full disclosure and review by others. We find this level of transparency in matching provides for a better understanding and acceptance of study results. A sample total compensation data sheet is presented in Appendix C.

Task 6 – Prepare the Draft Compensation Report - The project team will develop a Draft Total Compensation Report detailing the results of the labor market survey. The draft compensation study results will be presented to the Interim City Manager for discussion and comment prior to finalizing the report and submission to the City Council for their acceptance, adoption and action. This draft report will comprise the following:

- Scope of the study
- Agency and benchmark selection criteria
- Study methodologies
- Labor market data analysis/methodologies
- Results of the base salary survey
- Results of total compensation analysis

The project team will conduct a conference call with the Interim City Manager to discuss the draft results of the survey.

Task 7 – Research and Resolve Issues from Draft Total Compensation Report Review - Based upon the City's review of the Draft Total Compensation Report, the project team will follow up on compensation issues pursuant to this review.

Task 8 – Prepare and Present Final Total Compensation Report - An original, an electronic copy in Word format and the requested number of copies of the Final Total Compensation Report that includes the results of the total compensation analysis and study methodology, findings, and recommendations will be presented to the Interim City Manager. Communication of the final study results to the City Council will be performed by the CPS HR Project Manager, Technical Advisor and the Interim City Manager.

October 20, 2011

City of Bell

Compensation, Benchmarking Survey and Classification Study

SUBMITTED BY:
CONNIE CHAMPNOISE
Director

CPS HR Consulting
241 Lathrop Way
Sacramento, CA 95815
t: 916-471-3305 f: 916-263-3613
Tax ID: 68-0067209
www.cps.ca.gov

October 20, 2011

Mr. Arne Croce
Interim City Manager
City of Bell
6330 Pine Avenue
Bell, CA 90201

Dear Mr. Croce:

CPS HR Consulting (CPS HR) is pleased to submit this proposal to provide Compensation, Classification and Benchmarking Consulting Services to the City of Bell ("the City"). On the following pages, we outline our understanding of the project scope of work and present a detailed work plan describing the specific tasks involved in this project.

The CPS HR response to the City's Request for Proposal also provides (i) comprehensive information on our project methodologies; (ii) our consulting team's experience conducting classification and compensation studies; (iii) a timeframe to conduct the study; and (iv), a cost estimate for the proposed project.

Again, thank you for the opportunity to be considered for this engagement. Should you have questions or comments about the information presented in this proposal, please contact me at 916-471-3305 or cchampnoise@cps.ca.gov at your convenience.

Sincerely,

Connie Champnoise

Connie Champnoise
Director

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Introduction

CPS HR is an innovative, client-centered human resources and management consulting firm specializing in solving the unique problems and challenges faced by government and non-profit agencies. As a self-supporting public agency, we understand the needs of public sector clients and have served as a trusted advisor to our clients for more than 25 years. The distinctive mission of CPS HR is to transform human resource management in the public sector.

With more than 80 full-time employees as well as 200+ project consultants and technical experts nationwide, CPS HR delivers breakthrough solutions that dramatically transform public sector organizations to positively impact the communities they serve. By establishing centers of excellence and communities of practice, we provide your organization with the latest knowledge and the expertise to put that knowledge into action. With offices in Sacramento, CA and Bethesda, MD, and partners throughout the country, our clients draw experience from a powerful national network.



CPS HR offers clients a comprehensive range of competitively priced services, all of which can be customized to meet your organization's specific needs. We are committed to supporting and developing strategic organizational leadership and human resource management in the public sector. We offer expertise in the areas of organizational strategy, recruitment and selection, training and development, and organization and workforce management.

Our legal name is Cooperative Personnel Services, doing business as CPS HR Consulting. We are a Joint Powers Authority Public Agency. CPS HR employs more than 80 full-time employees and approximately 200 intermittent consultants who provide professional services and technical assistance to clients across the country. Our client list includes federal, state, county and city governments, and other governmental agencies, such as special districts, colleges, universities, school districts and non-profit organizations.

CPS HR occupies a unique position among its competitors in the field of government consulting; as a Joint Powers Authority, whose charter mandates that we serve only public sector clients, we actively serve all government sectors including Federal, State, Local, Special Districts and Non-Profit Organizations. This singular position provides CPS HR with a systemic and extensive understanding of how each government sector is inter-connected to each other and to their communities. That understanding, combined with our knowledge of public and private sector best practices, translates into meaningful and practical solutions for our clients' operational and business needs.

As a Joint Powers Authority public agency, CPS HR is governed by a Board of Directors representing a diverse range of twelve public sector agencies throughout the United States, and our management team is led by a Chief Executive Officer. Our principal office is located in Sacramento, California. We have been in existence for more than 70 years, and have been a self-supporting Joint Powers Authority public agency since 1985.

Headquartered in Sacramento, California, CPS HR also has an East Coast regional office in Bethesda, MD. Our headquarters' address is 241 Lathrop way, Sacramento, CA 95815. Our main office may be reached at 916-263-3600 or toll-free at 800-822-4277. I, Connie Champnoise, am the primary contact person for this proposal. I may be reached directly at 916-471-3305 or through e-mail at cchampnoise@cps.ca.gov.

Project Approach

To successfully meet the needs of the City, CPS HR is fully prepared to conduct a comprehensive study, analyze results, and provide findings, recommendations and workable solutions that will enable the City to meet its goals and objectives. Our approach includes the involvement of key stakeholders and provides a realistic plan for successful completion of the project.

CPS' Understanding of the Scope of Work

The City of Bell is seeking the services of a consulting firm qualified and experienced in the development and implementation of classification and compensation systems. The structured work plan prepared by CPS HR to accomplish the work includes facilitating several meetings with the City Council and employees to explain the process and reinforce their commitment that the study results will not be influenced by internal/external stakeholders. To meet the City's specific circumstances CPS HR has modified the standard classification and compensation work plans to develop a methodology we consider will ensure the City achieves the desired levels of consistency and equity throughout its classification and compensation plans.

The overall purpose of this study is to ensure that (i) the City's classification structure is sound and reflective of the work which needs to be performed to meet the City's operational needs [versus what people may or may not be doing now]; and (ii) the City Council has comprehensive and reliable data upon which to develop compensation policies that are externally competitive, internally equitable and fiscally sustainable.

In order to rebuild community trust that the City's classification and compensation structure is aligned with the City's operational and business needs, CPS HR offers our services as an independent third party with highly technical expertise in classification and compensation systems; we will conduct the study in a manner that ensures neutrality and impartiality in all study recommendations.

Why Select CPS HR for this Important Effort?

- ✓ *CPS HR offers solutions that meet or exceed the City's study objectives.*
- ✓ *CPS HR delivers quality products and services to assist our clients in evaluating classification and compensation system changes that will best serve the goals and objectives for the study.*
- ✓ *CPS HR applies HR best practices and utilizes proven classification and compensation principles which will focus on current agency issues and concerns.*
- ✓ *The combination of CPS' seasoned project management and highly qualified staff enable us to reliably and consistently deliver successful results.*

The City's Responsibilities

To facilitate the study process, we request that the Interim City Manager or a designee will coordinate communication, meetings, and review of products with the project team. The City will be responsible for the following activities:

- Communicate and coordinate meeting and equipment, facilities and conference calls
- Coordinate employee orientation session schedules, facilities, and distribution of project update information
- Identify and provide current classification and compensation information, including current job descriptions, organization charts, salary structure, actual pay data, pay policies and procedures, completed position description questionnaires, etc.
- Coordinate and ensure timely City review of study documents and information provided by CPS HR; work products developed during the study will be regularly submitted to the Interim City Manager for review, comment and/or approval; timely review of draft documents is essential in order to complete the project on schedule



Proposed Work Plan

Classification Study and Agency Benchmarking Tasks

In reviewing and designing classification systems, it is important that the following factors be evaluated:

- **Establishment of Classification Concepts and Allocation Factors** – As the foundation upon which all classification and compensation decisions are based, there should be underlying concepts that clearly identifies how levels of work are titled, differences within these job levels and how different levels are distinguished. Allocation factors should be established and utilized consistently throughout each analysis.
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Task 5 – PDQ Completion by Employees - All regular full time employees included in the study will be asked to complete a Position Description Questionnaire. Since many of the management positions are no longer in place, validation that the employees have accurately and sufficiently captured all pertinent information is not possible. Therefore, the work plan does not include affirmation by management. CPS HR consultants will utilize our in depth of knowledge of municipal services and related classification structures/job content, as well as the data collected from the benchmarking survey to confirm whether or

not the information provided is job related and reasonable based on the classifications being studied. Completed PDQs will be sent directly to CPS HR for review.

Task 6 – Review and Analyze PDQs - The CPS HR Project Team will thoroughly review each PDQ to obtain an understanding of the duties and responsibilities assigned to each position. If necessary, CPS HR may conduct telephone interviews with certain employees to clarify any questions we may have on their PDQ written submissions. The proposal does not include a process for onsite employee interviews nor a guarantee that all or a particular percentage of employees will receive telephone interviews.

Task 7 – Agency Benchmarking Survey – CPS HR will conduct a benchmarking survey to identify the types of classifications required to provide City services, and compare classification levels and staffing for each classification within other agencies. To select relevant benchmarking agencies, CPS HR will utilize agency selection criteria such as population served, similarity in economic demographics, and services provided; however, proximity to the City of Bell will not necessarily be the only agency selection criteria as in the compensation study. CPS HR will identify (six) 6 agencies similar to the City of Bell to survey for the purposes of benchmarking classifications and staffing levels.

Task 8 – Analyze Benchmark Agency and City of Bell Classification Data/ Prepare Draft Classification Report. – CPS HR will compare results of the benchmarking survey relative to submitted PDQ's, and will prepare a Draft Classification Report. These draft results will be presented to the Interim City Manager for discussion and comment. The report will comprise the following sections:

1. Benchmark agency selection criteria
2. Classification structure
3. Classification specifications
4. Allocation of positions into the classification structure where there is clear alignment between benchmark agency results and information received from City of Bell
5. Identification of positions/scopes of work outside the benchmark agency results and/or recommended classification structure for the City's consideration/action
6. Since this is not an in-depth staffing study, no recommendations on specific staffing levels for City of Bell will be made

The project team will conduct a conference call with the Interim City Manager to discuss the Draft Classification Report and Benchmarking Survey. CPS HR will review and respond to any feedback, comments, issues and concerns.

Task 9 – Develop and/or Revise Classification Plan and Classification Specifications - The classification specifications will be reviewed and revised or developed in conjunction with the classification plan structure. The format for class specification revisions will be submitted to the Interim City Manager for approval. Our methodology for this task will result in:

1. Accurately identifying the specific essential duties and responsibilities, required knowledge, skills and abilities, minimum education and experience requirements, and minimum special qualifications for each position in the study.
2. Reviewing, revising, editing and developing written classification specifications for each study classification that clearly specify and describe a general statement of duties, any distinguishing features of the class, essential duties, knowledge, skills and abilities, acceptable minimum education and experience, required special training and certifications.
3. Describing the typical work environment for the classification.
4. Ensuring compliance with the provisions of the Americans with Disabilities Act (ADA)

CPS HR will provide each regular full-time employee with a copy of the classification specification for his/her position for comments and feedback. CPS HR will address and respond to employee requests for classification specification changes, but will not conduct an employee review of position allocation recommendations.

Task 10 – Research and Resolve Issues from Draft Classification Report Review - Based upon the City's review of the Draft Classification Report, the project team will follow up on any issues resulting from this review.

Task 11 – Prepare and Present Final Classification Report - An original, an electronic copy in Word format and the requested number of copies of the Final Classification Report that includes the results of the benchmark survey and classification analysis, and study findings/recommendations will be presented to the Interim City Manager. Communication of the final study results and implementation to the City Council will be performed by the CPS HR Project Manager, Technical Advisor and the Interim City Manager. CPS HR anticipates that implementation of classification study results will be phased in over a period of time, particularly if duties are changed or re-assigned to address the reorganization of administration functions or mitigate employee issues; thus our current work plan does not include implementation of study results, but these services can be provided at a later date on an hourly basis if needed.

Total Compensation Study Tasks

In reviewing the study goals for the City, CPS HR believes that the proper development and implementation of a comprehensive market based compensation plan, combined with a structured approach to internal equity through whole job analysis, will provide a strong and sound foundation for its compensation plan.

Task 1 – Review of City’s Background Materials - Concurrent with Task #1 in the classification component of the study. CPS HR will request background information to develop a full understanding of the organization. Our team will review the current salary list, salary schedules, salary adjustment history, compensation policy and any other documentation relating to the City’s current compensation plan.

Task 2 – Initial Project Meeting/Identify Labor Market/Benchmark Selection – During the same on-site visit as Task #3 in the classification component of the study, the CPS HR Project Manager and Technical Advisor will meet with the Interim City Manager and City Council to initiate the study and communicate study goals, objectives, and methodologies. For this initial project meeting, CPS HR will conduct a workshop with these key stakeholders to discuss and obtain consensus on the following study components:

Benchmark Classifications

Benchmark classification titles serve as the foundation for the City’s compensation plan and it will be important to undertake a structured approach to their selection. Prior to the initial meeting CPS HR will have reviewed all of the City’s classification specifications to the extent they exist and will enter the initial project meeting with recommendations regarding potential benchmarks. Benchmark classifications are described as:

- Class titles for which counterparts can readily be found in surveyed employers so that sufficient compensation data can be gathered
- Class titles which have significant relationships to other job titles in their occupational group, to the extent that they may be used to set salaries of other class titles within their occupational group.

For full time classifications CPS HR recommends that the number of benchmark classifications to be surveyed comprise thirty-three (33). We consider this number of benchmarks will provide the City with the market data needed to design a comprehensive compensation plan; these benchmarks can then be used as building blocks for the internal equity process. Should the City desire that more or less benchmarks be used, CPS HR will be pleased to revise the scope of work and budget accordingly.

Labor Market Agencies

The selection of labor market agencies is a compensation policy decision which requires an in-depth review of multiple factors. The criteria that are typically used in assessing comparable agencies include:

- Geographic Proximity- In many agencies, it is common to identify a local market from which most of the workforce is drawn; thus geographic proximity is a strong consideration. However, it is often the case that specialized skilled, professional,

management and executive employees are recruited from a state-wide, regional or national market. Hence the agency may choose to have a tiered market approach to ensure comprehensive coverage of all City job titles.

- Size of the organization - measures may include population served, and number of employees.
- Services provided to ensure sufficient market comparable for the full range of services the City provides to its citizens.
- Additionally, we consider what agencies the City may have historically used to compare against and what organizations the City competes with for talent on a local, statewide, regional or national basis.

Cost of living/Cost of Wages Differences – When assessing regional and national markets, it is important to identify any cost of living and cost of wages differences to ensure data is not skewed by significant economic condition differences within any recommended agencies. To facilitate this analysis, CPS HR utilizes databases compiled by the Economic Research Institute to evaluate labor market agency cost of living/cost of wage differences.

The budget prepared for this proposal assumes ten (10) labor market agencies. Should the City desire that more or less labor market agencies be used, CPS HR will be pleased to revise the scope of work and budget accordingly.

Labor Market Position

This policy decision relates to the position within the labor market which the City wishes to adopt, e.g., the labor market median [middle of all comparator agency data], mean [average of all comparator agency data] or another percentile. We will explore the different labor market position options and provide details on the pros and cons of each, so that City Council can determine the position most appropriate for the City.

As a deliverable of the workshop session, CPS HR will provide the City with a formal memo documenting the decisions on the following policy matters:

- Benchmark classifications
- Labor market agencies
- Labor market position

Task 3 – Design, Develop and Distribute Survey Instrument - The project team will develop a comprehensive survey instrument to ensure the effective collection of salary and benefit information from each of the survey agencies identified by the City. In addition, we will request copies of class specifications, organization charts, staffing information and other useful reference materials to substantiate the accuracy of the comparability of the matches. It is critical that the project team review such documents since titles alone can often be misleading and should not be relied upon. The survey will also have a benefits data and/or practices section to capture relevant total compensation data. A sample total compensation survey instrument is presented in Appendix B.

When CPS HR conducts a total compensation study; we typically collect, analyze and report on the following data:

- Base salary include range minimum and maximum amounts
- Cash add-ons such as retirement pickup, longevity pay, deferred compensation, education incentives, any other cash related payments
- Agency contribution to the most commonly used medical, dental and vision plans, and to long term disability and life insurance programs
- Agency contribution to all retirement plans.

Although the following are not used in a total compensation analysis model, they are compensable and/or provide relevant insights into market practices

- Paid time off practices including vacation, holidays, administrative leave, sick leave
 - Amounts allowed and any payout practices
- Employee cost sharing for medical, dental and vision plans
- Any special/certification pay practices

CPS HR's survey instruments are designed to be completed electronically or, if need be, in hard copy.

Task 4 – Review, Analyze and Validate Labor Market Survey Data - The survey information collected will be analyzed and placed into data spreadsheets. In conjunction with the survey instrument received from each labor market agency, the project team will review any additional background materials that become available. Once the project team has completed their tasks, the Technical Advisor will audit the final data as part of our quality review prior to submission to the City. CPS HR has determined that this method of data collection, analysis and audit provides our clients with credible and accurate data, a critical element in any compensation study.

Task 5 – Design and Develop Data Spreadsheets – CPS HR will develop an individual data sheet for each survey job title that presents the comparable job title used in each agency with the relevant data associated with that job title, such as the salary range minimum and maximum and any cost of wage adjustments. The labor market data analyses will be conducted based upon labor market position, i.e., labor market median, mean, or other percentile. A data sheet will be prepared for each benchmark survey job title. Each comparable match for each benchmark job title is reported in the relevant data sheet for full disclosure and review by others. We find this level of transparency in matching provides for a better understanding and acceptance of study results. A sample total compensation data sheet is presented in Appendix C.

Task 6 – Prepare the Draft Compensation Report - The project team will develop a Draft Total Compensation Report detailing the results of the labor market survey. The draft compensation study results will be presented to the Interim City Manager for discussion and comment prior to finalizing the report and submission to the City Council for their acceptance, adoption and action. This draft report will comprise the following:

- Scope of the study
- Agency and benchmark selection criteria
- Study methodologies
- Labor market data analysis/methodologies
- Results of the base salary survey
- Results of total compensation analysis

The project team will conduct a conference call with the Interim City Manager to discuss the draft results of the survey.

Task 7 – Research and Resolve Issues from Draft Total Compensation Report Review - Based upon the City's review of the Draft Total Compensation Report, the project team will follow up on compensation issues pursuant to this review.

Task 8 – Prepare and Present Final Total Compensation Report - An original, an electronic copy in Word format and the requested number of copies of the Final Total Compensation Report that includes the results of the total compensation analysis and study methodology, findings, and recommendations will be presented to the Interim City Manager. Communication of the final study results to the City Council will be performed by the CPS HR Project Manager, Technical Advisor and the Interim City Manager.

Proposed Staffing

CPS HR is committed to meeting the highest professional standards of quality and has assembled a uniquely qualified team of professionals to conduct this study for the City. Our consultants have been selected for their relevant experience and professionalism in dealing with projects of this nature. We firmly believe that the most important factors in ensuring the highest quality of consultant performance is first, the commitment the consultant brings to the engagement, and second, the experience of the firm and the individual consultants working on the project. Furthermore, our Project Managers involve themselves directly in preparing and submitting project deliverables. No documents or materials of any kind are delivered to the client without the Project Manager's review and approval. We trust this proposal will provide you with the relevant information on our commitment to our clients, the qualifications of our firm, and the experience of our individual consultants.

CPS HR has assembled a uniquely qualified team of professionals to conduct this study for the City. The project team, led by Dave Morgan, Project Manager for this study, also includes Monica Garrison Reusch, and Lynn Huson as project consultants. Debbie Owen and Linda Kegerreis will serve as Technical Advisors. Each member of this team has extensive consulting experience and direct, in-depth understanding of classification and compensation systems.

Presented below and on the following pages are résumés for each of our project team members. After examining these documents, should you have any questions, please feel free to contact us at any time and we will be happy to discuss our qualifications further.

You will note from the resumes and work experience for our consultants that they have extensive experience in public sector classification and compensation practices and have served a variety of government clients in multiple sectors such as local, state and special districts encompassing the breadth of jobs in all of those sectors. Our compensation deliverables are used by our clients to align their pay plans to market and internally, and are also used in the collective bargaining process. Our classification deliverables serves as the foundation of an agency's job related position allocation system.

DAVID M. MORGAN, PROJECT MANAGER

Profile

David M. Morgan began his duties as City Manager of California's 10th largest city in December, 2001. In his role, Morgan was responsible for implementing the policies established by the Anaheim City Council, overseeing the City's \$1.4 million budget, and shepherding the City's five-year \$678 million Capital Improvement Budget. As City Manager, Morgan coordinated a full range of municipal services ranging from public utilities, public safety, transportation, growth management, and social activities designed to enhance the quality of life of Anaheim's citizens. Since his retirement from the City of Anaheim in July of 2009, Dave has been involved in teaching a class on Local Government Leadership for Chapman University's Masters in Public Administration program, and consulting with CPS HR.

Employment History

- Consultant, CPS HR Consulting 2009 – Present
- City Manager, City of Anaheim, December 2001 - 2009
- Assistant City Manager, City of Anaheim, January 1993 - December 2001
- Human Resources Director, City of Anaheim, September 1988 - December 1992
- Resource Development Manager, City of Anaheim, June 1985 - September 1988

Professional Experience

- Assist team members on Executive Recruitments and other government consulting projects; meet with clients; screen and interview candidates; develop project methodologies and direction.
- Directly responsible for implementing the policies established by the Anaheim City Council, overseeing the City's \$1.4 billion budget, and monitoring the City's five-year \$500 million Capital Improvement Budget. Under direction of the City Council, coordinates a full range of municipal services ranging from public safety, public utilities, transportation, growth management, and social activities designed to enhance the quality of life of Anaheim's citizens and visitors.
- Direct reports included: Finance, Budget, Audit, Intergovernmental Relations, Information Services, Human Resources, Stadium, Convention Center, Library, and Parks, Recreation, & Community Services. In addition, the Assistant City Manager was responsible for major citywide projects and acted as the primary backup to the City Manager. Served as a key team member on the City's Resort and Stadium /Convention Center Renovation Projects.
- The Human Resources Director was responsible for the following key areas:
- Employment, Affirmative Action, Benefits, Employee Information, Classification/Compensation, Employee Development, Organizational Development, and Employee Relations. Anaheim has 2,100 full-time and 2,500 part-time employees. In 1990, Anaheim was recognized by the International Personnel Management Association as one of three Agency Excellence Award Winners.
- The Resource Development Manager, as a senior member of the City Manager's Office, held overall responsibility for the coordination of all organizational performance

programs including: Strategic Planning, Organizational Development, and Productivity Efforts/Studies. Anaheim's efforts in these areas were acknowledged nationally in various publications.

Education

- Masters of Public Administration, 1979, California State University, Fullerton
- Bachelor of Arts - Political Science/Public Administration, 1973, California State University, Fullerton
- Leadership for the 21st Century Program, 1998, John F. Kennedy School of Government, Harvard University

Professional Associations

- International City Managers Association, 1985 – Present
- Adjunct Faculty Cal-State University, Long Beach, 1984 - 1990
- West Anaheim Medical Center Board Member, 1994 – 2001
- YMCA Anaheim Board Member, 1997 - Present
- California City Management Foundation, 1998 - 2002
- Anaheim Memorial Hospital Board Member, 2002 - 2008

MONICA GARRISON REUSCH, MBA, PROJECT CONSULTANT

Profile

Ms. Garrison Reusch is a Project Consultant with CPS HR Consulting, and has experience in many areas of Human Resources, including: recruitment, selection, examination development, classification and compensation. Ms. Garrison Reusch's primary professional focus over the last four years has been on compensation practices. Ms. Garrison Reusch has served as either a team member or Project Manager on varied projects including large scale studies done for the County of San Mateo, the County of Tuolumne, Imperial Irrigation District, and the California State Department of Personnel Administration and smaller specialized compensation studies for agencies such the City of Dixon, the City of Vacaville and the City of Modesto. Ms. Garrison Reusch has also overseen the personnel practices within social services departments and local child support services agencies within several California Counties. This administration includes conducting recruitments, receiving and screening applications, as well as determining and developing the assessment process, and reviewing and responding to appeals.

Employment History

- Project Consultant, CPS HR Consulting
- Consultant, CPS HR Consulting
- Administrative Analyst, CPS HR Consulting
- Sub-contracting Grant Writer, Independent
- Consultant, CWG Properties

Professional Experience

- Project Consultant, CPS HR. Currently, Ms. Garrison Reusch provides a broad range of human resources services to public agencies and has conducted projects for various jurisdictions, primarily classification and compensation studies.
- Serves as project consultant, lead or manages small, medium and large scale compensation projects for public sector agencies including, counties, cities and special districts. Ms. Garrison Reusch specializes in compensation projects focusing on both base salary and total compensation analysis studies. Ms. Garrison Reusch has participated on project teams for both large and small scale compensation studies, including recent large studies performed for the following agencies: Imperial Irrigation District, Eastern Municipal Water District, and San Mateo County. Ms. Garrison Reusch has also served as lead consultant on several studies including recent large statewide total compensation studies performed for the State of California.
- Serves as a project consultant performing classification studies; performs participant and management briefings; distribute, collect and analyze questionnaires; conduct employee and staff audits; prepare recommendation reports and respond to study appeals.
- Training and facilitation experience includes developing training materials and training public employees at varying levels on classification and compensation topics.

Education

- Golden Gate University, Sacramento: Masters in Business Administration, Sacramento, CA.
- University of Southern California: Bachelor of Science in Business Administration, Los Angeles, CA.

LYNN HUSON, PROJECT CONSULTANT

Profile

Ms. Lynn Huson has more than 22 years of experience working in various county government human resources positions in Washington and California. Lynn has extensive experience with position classification, compensation studies, conducting recruitments, and labor relations.

Employment History

- Project Consultant, CPS HR
- Human Resources Analyst, Kitsap County Department of Personnel and Human Services
- Administrative Specialist, US Census Bureau
- Personnel Services Coordinator, County of Orange Department of Human Resources

Professional Experience

- **Classification/Compensation:** Sole classification and compensation analyst for county of 1200 employees; write job descriptions, conduct individual and large group classification studies, determine position salaries, write reports and recommendations, assist and advise departments with reorganizations/ organizational design, make presentations to the Board of County Commissioners, act as compensation study committee chair facilitating represented and non-represented employee groups; prepare resolutions.
- **Recruitment:** Conduct recruitments for all departments; work with departments to determine needs, prepare job announcements and brochures, create supplemental questionnaires and screening criteria, prepare advertising, screen applicants, write interview questions, interview candidates as needed, conduct/coordinate reference checks, run background state checks, approve all hiring paperwork.
- **Labor Relations:** Provide support to Labor Relations Manager and negotiations; conduct salary studies, recommend compensation levels, cost out proposals, identify potential compensation and classification issues; conduct or assist in conducting employee investigations; write reports.
- **Policy/Procedure/Contract Interpretation:** Advise department heads, elected officials and staff on a variety of policies, procedures, contract issues/interpretations, Family Medical Leave Act and other employee matters.
- **Other Programs:** Employee Recognition Program, Lead over employee recognition program; coordinate awards and presentations; Unemployment Insurance Program, Coordinate directly reimbursable unemployment insurance program with third party administrator; provide information to the State; coordinate hearings.
- Provide payroll/accounts payable support; calculate payroll, prepare payment vouchers; input information into automated payroll system; assistant supervisor.
- Conducted recruitments for the General Services Agency; worked with departments to determine needs, prepare job announcements, advertise vacancies, coordinate recruitments, prepare interview questions; conduct salary surveys, interpret and apply labor contracts, policies and procedures; assisted with large countywide classification studies; personnel liaison to Affirmative Action Committee.

Education

- California State University at Long Beach, B.S. Degree in Business Administration;
Personnel Management & Labor Relations

DEBBIE OWEN, TECHNICAL ADVISOR

Profile

Ms. Owen is the Technical Director, Classification and Compensation with CPS HR Consulting. She has over twenty years of experience, fifteen of which involved serving as a Project Manager or team consultant to public sector agencies, within her specialty area of classification and compensation; and five years in the private sector as a compensation specialist and Benefits Administrator. Ms. Owen served as the Project/Contract Manager for the Merit System Services (MSS) contract with the California State Personnel Board for over three years; she also manages and participates in the full range of classification and compensation services for state and local government agencies, including cities, counties, utilities, and special districts.

Employment History

- Technical Director, Classification and Compensation, CPS HR Consulting
- Practice Leader, CPS HR Consulting
- Manager, Retention and Deployment Services, CPS HR Consulting
- Principal Consultant, CPS HR Consulting
- Project Consultant/Senior Consultant, CPS HR Consulting
- Consultant/Senior Consultant, Ralph Andersen & Associates/Johnson & Associates
- Benefits Administrator/Compensation and Benefits Specialist, Calgene, Inc.

Professional Experience

- Serves as project manager or technical expert/advisor for base salary or total compensation studies for state and local government agencies including cities, counties, transit agencies, state governments, utilities, school districts and special districts. Project management responsibilities include labor market selection; the design and development of survey tools; the audit of analyzed compensation and benefits data; compensation report writing and review; and presentation of study results to key stakeholders including employees, management, bargaining unit representatives and governing boards.
- Base salary and/or total compensation studies managed include City of Huntington Beach, City of Modesto, State of California Law Enforcement Study, State of California Department of Transportation and Office of the Receiver total compensation studies, Amador County, San Joaquin County, San Mateo County, Placer County, City of Vacaville, Imperial Irrigation District, Eastern Municipal Water District, Western Municipal Water District and the Yosemite Community College District.
- Serves as project manager or technical expert/advisor for comprehensive classification studies including conducting employee briefings, developing classification concepts and individual employee allocation recommendations; reviewing/preparing classification specifications and the presentation of study results to key stakeholders including employees, management, bargaining unit representatives and governing boards.
- Served as Project/Contract Manager for the Merit System Services (MSS) contract with the California State Personnel Board – MSS directly administers, or oversees compliance with, personnel programs for county social services and child support services programs.

Thirty counties are Interagency Merit System (IMS) counties for whom MSS provides direct personnel services such as recruitment and selection, examination services, position classification, appointment certification, disciplinary appeal, layoff standards and consulting in compliance with LAPS and federal merit principles. Twenty-eight counties have implemented an Approved Local Merit System (ALMS) and are subject to periodic audits by MSS to ensure compliance with the local agency personnel standards promulgated by SPB.

- Human resources benefit program experience includes the design, development, implementation and administration of employee health and retirement benefit programs; monitoring and evaluating benefit program costs; implementing cost controls; analyzing and implementing cost sharing programs; ensuring all programs were in compliance with mandated requirements; developing program communications and administration manuals; and conducting training sessions on compensation and benefit programs.
- Classification studies managed include the City of Huntington Beach, City/County of San Francisco, the City of Modesto, Amador County and Orange County Information Technology study.
- Human resources compensation program administration experience includes the design and administration of corporate and subsidiary compensation programs; job analysis, salary recommendations/range placement, and merit review adjustments.

Education

- Pierce College, Athens, Greece.

Professional Associations and Certification

- Certified Compensation Professional (CCP) attained through WorldatWork (formerly the American Compensation Association) in 1992.
- Member, *WorldatWork*
- Member, International Public Management Association (IPMA)
- Member, California Public Employer Labor Relations Association (CalPELRA)

LINDA KEGERREIS, TECHNICAL ADVISOR

Profile

Ms. Kegerreis is the Chief Workforce Officer for CPS HR and also manages the Products and Services Division. She has over 30 years of human resources program experience that includes 20 years as an HR Director in the public sector working for cities and counties. Her background and experience spans the gamut of human resources functions. She has also provided consulting services on performance management, pay for performance, succession management, recognition and reward systems, and FLSA.

Employment History

- Chief Workforce Officer, CPS HR Consulting
- Human Resource Director, City of San Buenaventura
- Asst. County Administrative Officer - Personnel, Yolo County
- Personnel Director, Douglas County, NV
- Personnel Supervisor, City of Tucson Police Department, AZ

Professional Experience

- Managed full service HR department, revamped salary and class structure, enhanced new hire orientation, facilitated a cross-departmental task force to develop recruitment methods, created and managed a succession management program, updated the performance management system to align with new organizational service delivery model, mission and vision.
- Led full service HR department for a charter city; led planning process resulting in adoption of City core values and competencies; implemented a city-wide training program to link the core values and competencies; and revised recognition program.
- Policy development and procedural implementation for recruitment and selection, labor negotiations and employee relations. Modified and streamlined recruitment procedures, consolidated employee and labor relations under Personnel, thereby increasing communications and decreasing grievances and arbitrations; instituted annual goals and objectives for department and individual staff, increasing focus, productivity and accountability. Managed outside contracts for benefits and other services.
- Coordinated labor and employee relations programs; provided advice and assistance to management; negotiated and administered labor contracts; initiated improvements in risk management, recruitment, benefits and communications.
- Managed all units of a centralized personnel section for large City police department. Wrote and obtained top management approval for policy guidelines in areas of selection, minimum police officer screening criteria, performance appraisals, special assignment testing, drug screening and AIDS policy. Initiated an exit interview program, which increased the ability to understand and respond to turnover. Participated in selection of outside contractors.

- Taught Preparing for Negotiations class at University of California Davis extension program.

Education

- M.Ed., Counseling and Guidance, University of Arizona, Tucson
- B.A., Sociology, Psychology, Texas Christian University, Fort Worth

Professional Associations and Certifications

- Past President of the Channel Islands Chapter of the International Public Management Association (IPMA-HR). Founding member of this IPMA chapter
- Member, Society for Human Resource Management
- Member, Sacramento Area Human Resource Association
- Member, Mother Lode Chapter of the IPMA
- IPMA-CP. Received designation as an IPMA Certified Professional
- Institute of Cultural Affairs, Certificate for 'Mastering the Technology of Participation', a year-long training program in facilitation methods



Project Timeline

Based upon the work plan presented within this proposal, we anticipate a study of this nature would be completed within a twelve (12) week time frame from the execution of the contract. CPS HR confirms that the proposed project team has the availability to begin work on this project upon the execution of the contract and foresees no difficulty with meeting the proposed timeframe given current and projected workloads. Our time frames are based upon the assumption that the selected labor market agencies will provide the information required within the specified time frame and that the City will be able to review, comment on, and approve study products within agreed upon time frames. During the study, the CPS HR Project Manager will provide the Interim City Manager with status report on labor market agency participation and will assess any impact on the timeline. CPS HR will submit total compensation data for the Police Officer classification before the other benchmark classes.

Project Tasks/Milestones	Week #
Classification Tasks and Agency Benchmark Study:	
Task 1 – Review the City’s Background Materials	Upon contract execution
Task 2 – Develop Job Evaluation Tools	2
Task 3 – Project Initiation Meetings	2
Task 4 – Conduct Orientation Sessions	2-3
Task 5 – PDQ Completion by Employees	3-5
Task 6 – Review and Analyze PDQs	5-7
Task 7 – Agency Benchmarking Survey	5-7
Task 8 – Analyze Classification Data/Draft Classification Report	8
Task 9 – Develop and/or Revise Classification Plan and Specifications	8-9
Task 10 – Research and Resolve Issues from Draft Classification Report Review	10-11
Task 11 – Prepare and Present Final Classification Report	12
Total Compensation Tasks:	
Task 1 – Review the City’s Background Materials	Upon contract execution

Project Tasks/Milestones	Week #
Task 2 – Project Initiation Meetings/ Labor Market and Benchmark Classification Workshop	2
Task 3 – Design, Develop and Distribute Survey Instruments	2-3
Task 4 – Review, Analyze and Validate Labor Market Survey Data	4
Task 5 – Design and Develop Data Spreadsheets	4-7
Task 6 – Prepare the Draft Compensation Report	8
Task 7 – Research and Resolve Issues from Draft Total Compensation Report Review	9-10
Task 8 – Prepare and Present Final Total Compensation Report	12

Cost

To complete the work, CPS HR is proposing a professional services fee of **\$31,343.35** to conduct the City's Classification, Compensation Study and Benchmark Survey, plus an estimated **\$1,178** for travel related and incidental expenses. **CPS HR has provided the City with a 5% discount on the Professional Services Fee for this contract.** CPS HR will bill on a monthly basis, only for hours worked, and any incurred expenses as a direct pass-through.

During the course of the study, CPS HR estimates the need for two (2) on-site visits for the following purposes:

- Trip # 1- Initiation of Project, Council Workshop Session and Employee Orientation Sessions
- Trip # 2 - Presentation of Final Study Findings and Recommendations to City Council

Labor Categories	Hourly Rate
Project Manager	\$150
Technical Advisor	\$120
Project Consultant	\$105
Technical Support	\$60

Incidental expenses such as airfare, mileage, printing, copying and other related costs will be billed at actual cost.

† *Travel Expenses*

CPS HR understands that no travel or related expenses will be chargeable to the City without prior approval by an authorized City representative. CPS HR offers our client a reduced fee of one-half the billable consulting rate for travel time and "passes-through" costs such as mileage and per diems. CPS HR uses the GSA Domestic Per Diem Rates schedule available on the Internet in the estimation of travel, hotel, and meal allotments. (Please see www.gsa.gov). Also, we use the IRS-approved mileage reimbursement rate (currently 50¢ per mile) to estimate reimbursement rates for automobile travel.

Other approaches may be discussed that will alter the cost of the project. The methods, approach and timelines described in this proposal as well as the cost estimate have been prepared as accurately as possible based upon the services requested and study objectives described in the information provided to CPS HR. The total cost reflects the steps and time necessary to conduct the study in a sound, thorough and sustainable manner, including important input and review by the City and designated staff to accomplish the study objectives.

If changes or additional services are required, we will be happy to discuss changes to the project activities, schedule and/or cost estimate.



Appendix A – Sample PDQ

Agency's Name

POSITION DESCRIPTION QUESTIONNAIRE/FLSA FOCUS

Name:	Work Phone Number:
Current Classification Title:	Supervisor's Name and Title:
Regular Days of Week Worked:	Regular Start and End Times of Work Day:

EMPLOYEE'S STATEMENT

JOB SUMMARY

1. In three five sentences, briefly describe the **major** purpose(s) and/or function(s) of your job.

For example:

One of the main purposes of the position is to generate engineering plans for capital improvement, which includes survey work, engineering design, plan drafting and costing.

ESSENTIAL FUNCTIONS: DUTIES AND RESPONSIBILITIES

2. The information you provide on the next page is the most important part of this questionnaire. Briefly and accurately number and describe your essential job functions in terms that anyone reviewing this form will be able to understand. Avoid abbreviated, vague, or abstract words, such as "assists," "handles," "keeps," or "prepares," unless you describe how you assist, what you prepare, etc. Be specific.

For example:

DO THIS!

- Receives, opens, time stamps, and distributes incoming mail
- Calculates, verifies, and posts billing amounts
- Maintains accurate records on the flow of input information, output records, machine operations, operator assignments, and staff time

DON'T DO THIS

- Assists in handling mail
- Prepares final billings
- Keeps records

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ESSENTIAL JOB FUNCTIONS

List the essential job functions you perform in order of their importance. Typically, most jobs have 8 to 10 essential job functions that are the most critical. If you need more space, attach additional pages.

FREQUENCY Provide the approximate percent of time you spend on each essential duty. The total of all percentages should not be more than 100 percent.

IMPORTANCE 1 = MINOR 2 = AVERAGE 3 = CRITICAL

	Essential Functions	Frequency (% of time)	Importance
2.1			
2.2			
2.3			
2.4			
2.5			
2.6			
2.7			
2.8			
2.9			
2.10			
2.11			

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Information Technology Job Family Questions

If you are assigned to an information technology position, please complete the table below. If you answered yes or not sure provide examples of work that you think are or may be qualifying. If you require additional space please attach additional pages and number each item.

QUESTIONS	Yes	No	Unsure	Percent of Time
Operational Characteristics of Major Duties Performed				
1. The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;				
2. The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or a combination of the aforementioned duties, the performance of which requires the same level of skills.				
3. The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications.				
4. Duties performed requires the incumbent to be highly skilled and proficient in the theoretical and practical application of highly specialized information to computer systems analysis, programming, and software engineering.				

IMPACT AND SCOPE

3. List services and/or any work products directly generated as a result of the tasks and duties you perform (e.g., policies, guidelines, budgets, technical, administrative or financial reports). List the receiver of each of these services/work products. If a receiver takes an action with the work product, please describe what that action would be, i.e. changes content, approves, etc.

Services/Work Product(s)	Receiver(s)/Action(s)

4. **Authority.** Check the box which most closely describes the level of discretion and independent judgment that correlates to the level of authority assigned to your position for each listed work activity. Where there are options listed for organization/department/division/section, please circle the level within the organization for which the authority and/or independent judgment is exercised. For frequency, please use the following abbreviations:

D = Daily
W = Weekly
A = Annually

Work Activity	No Authority	Recommend	With Prescribed Guidelines	On Own Authority	Frequency
Determine long-term strategic planning objectives for the organization/department/ division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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Work Activity	No Authority	Recommend	Within Prescribed Guidelines	On Own Authority	Frequency
Determine and develop policies and procedures for the organization/department/ division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Change/re-direct policies and procedures for the organization/ department/division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implement policies and procedures for the organization/ department/division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Determine and develop goals and objectives for the organization/department/ division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Implement goals and objectives for the organization/ department/ division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Acquire resources needed to accomplish goals and objectives for the organization/ department/ division/section	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Establish and organize work priorities and processes for own position	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Establish and organize work priorities and processes for other positions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Establish operational and/or capital budget amounts for organization/department/ division/section Annual budget amount _____ Authorized expenditure level per occurrence assigned to your position _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Manage/administer operational and/or capital budget amounts for organization/department/ division/section Annual budget amount _____ Authorized expenditure level per occurrence assigned to your position _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Monitor operational and/or capital budget amounts for organization/department/ division/section Annual budget amount _____ Authorized expenditure level per occurrence assigned to your position _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

5. If you listed tasks related to developing policies or procedures in the above table, please describe the types of policies and procedures below:

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6. List any formal guidelines, standards, regulations, etc. within which your job must be performed. Are there conflicting guidelines? How do you resolve such conflicts? Do guidelines change frequently? Please give an example.

7. Describe the kinds of decisions or problems that occur on a regular basis that you:

a. Approve or resolve on your own:

b. Refer upward to your supervisor or manager:

8. What level of authority does your position have to ensure compliance with laws, codes and standards?

For example:

- I can stop the work of a project if I find it out of compliance with standards.
- I issue warnings to consultants/contractors who are out of compliance. I have the authority to make recommendations regarding the termination of the contract
- I have the authority to cancel the contract.

What corrective action do you take if noncompliance or substandard conditions are detected? What options do you have?

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SUPERVISION / DIRECTION

9. **Supervision/Direction received:** Please select one of the following type and amount of supervision that best describes the type and amount of supervision that your position receives.

- My supervisor frequently checks my job activities.
- I work alone on routine or regular work assignments and check with my supervisor on non-routine assignments or when in doubt as to the correct procedures to follow.
- I receive occasional supervision while working toward a definite objective that requires use of a wide range of procedures. I plan, and/or determine specific procedures or equipment required to meet assigned objectives, and I solve non-routine problems. I refer only unusual matters to my supervisor.
- I work from broad policies and towards general objectives. I refer specific matters to superior(s) only when interpretation or clarification of District policies is necessary.
- I work from general directives or broadly defined missions of the District.

From whom do you receive work assignments?

_____	_____
Name	Title
_____	_____
Name	Title

How is your work checked in order to discover/eliminate errors?

10. **Supervision/direction given:** Do you directly supervise employees (including conducting performance evaluations)?

- YES NO

Indicate the total number of employees supervised directly: _____ and indirectly: _____

11. **Supervision/direction given:** Do you perform "Lead" duties?

- YES NO

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12. List the employees you directly supervise or lead (include name, classification and status). If you supervise or lead more than ten employees, you may list only the job titles and number of people supervised:

STATUS FTE = Full-time employee
 PT = Part-time/Intermittent employee
 TEMP = Temporary or Contract employee

Name	Job Title	Type of Supervision (director or lead)	FTE	PT/TEMP
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

13. What type of supervision/lead do you provide? Please select all of the supervisory/lead duties you perform, the level of your authority, and indicate whether you perform this activity for employees, non-employees (e.g. volunteers), or both.

Supervisory Duty	No Authority	Recommend	With Prior Approval	On Own Authority	Employee or Non-Employee
Train others	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Hire employees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Plan and/or schedule work for others on specific projects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Plan and/or schedule work for others on a daily basis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Assign or delegate work to others on specific projects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Assign or delegate work to others on a daily basis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Monitor work of others on specific projects or on a daily basis (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

CPS Human Resource Services Agency's Name Position Description Questionnaire/FLSA Focus					
Supervisory Duty	No Authority	Recommend	With Prior Approval	On Own Authority	Employee or Non-Employee
Establish rules, procedures, and/or standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Approve overtime and/or leave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Evaluate performance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Take corrective action	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Resolve complaints and/or grievances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

14. What degrees, advanced degrees or licenses are required by your job?

Degree, Advanced Degree or License	Required by	
	Law	Employer
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

EMPLOYEE STATEMENT CONCLUSION

15. If there are other aspects of your job not covered in this questionnaire that are important in understanding your job content please describe below.

Incumbent's Signature

Date

Work Phone #

Name (Please print)

Title

CPS Human Resource Services Agency's Name Position Description Questionnaire/FLSA Focus

IMMEDIATE SUPERVISOR/MANAGER STATEMENT

Review this employee's questionnaire carefully to see that it is accurate and complete. Then fill out Items 1-2 below. Do not fill in these items unless you supervise the employee directly. Your certification below means that you accept responsibility for the accuracy and completeness with which the entire questionnaire describes the duties and responsibilities of the job, as well as the span of control, decision making and independence of judgment exercised by the position. If the Employee's Statement does not express your view of the duties, responsibilities and essential functions that you have assigned the employee, please clarify or elaborate below. Please allow your employees to review your responses if they request to see them.

There are two essential cautions you should observe:

- Under no circumstances should you change or alter the employee's entries in Employee's Statement.
- Do not make any statements or comments about the employee's work performance, competence or qualifications. This questionnaire will be used to evaluate the duties that constitute the **position**, not the performance or qualifications of the **employee**.

1. Does the description of the job as given by the employee accurately reflect the tasks, duties and responsibilities that are actually required of this position? If not, please clarify.

2. Do you agree with all of the information given by the employee? If your answer is "no", please identify and clarify the reason for your disagreement.

Supervisor/Manager Signature	Date	Work Phone #
Name (Please print)	Title	

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DEPARTMENT HEAD REVIEW

Do you agree with the other information given by the employee and/or immediate supervisor? If not, please clarify:

Department Head's Signature

Date

Work Phone #

Name (Please print)

Title

Appendix B – Sample Total Compensation Survey Instrument

(Agency)

Total Compensation Survey

INTRODUCTION

CPS HR Consulting, on behalf of the (Agency), is conducting a District-wide compensation and benefits survey. The Agency has identified your agency as part of their labor market and would greatly appreciate your assistance in collecting the necessary information.

This compensation and benefits survey comprises three sections as follows:

- The first section of this survey asks some general information questions with respect to your agency size and salary plan structure.
- The second section of this survey comprises the compensation survey and provides salary data collection sheets on pages 4-13. The descriptions for these survey classes are provided on pages 14-30. If your agency does have a comparable class, please provide the following information on the designated area of the form:
 - Your agency's comparable class title.
 - The monthly minimum and maximum salary provided to the comparable class. If your agency utilizes an open range pay structure with a control point, please provide the control or market point for that class.
 - If your agency does not have a comparable class, please list the class or classes that perform these duties.
 - Please list any additional information on your comparable class in the comments section.
- The third section of this survey provides premium pay, benefits and leave practices data collection sheets.

PARTICIPATING AGENCY

Please complete the following information so that we can track responses and follow-up with questions on the survey.

Agency Name

Address

Contact Name

Title

Telephone Number

Fax Number

E-mail Address

GENERAL INSTRUCTIONS

To participate in this study, please follow these instructions:

1. Please complete all sections of the questionnaire using the salary and benefit information for your agency's classification that matches the Agency's classification (descriptions can be found on pages 14-30).
2. Please include copies of your agency's salary schedules, organization charts and the classification specifications for the comparable classes, or provide the web-site address where this information may be found.
3. Fax the completed questionnaire to XXXXX XXXX at (916) XXX-XXXX or mail it with the provided prepaid postage sticker by **Monday, February 13, XXX**.
4. If you have any questions, please call XXXXX XXXX at (916) XXX-XXX, extension XXX.

Thank you in advance for your assistance.

I. GENERAL INFORMATION

What is the total number of full-time employees within your agency? _____

Please provide details of your salary plan structure/administration. If your agency utilizes an open range plan, please provide the control point (e.g. mid-point, range maximum, or any other point within the range that is your agency's maximum market value for the classification).

- Step plan (indicate number of steps) _____
- Open range (indicate control point) _____
- What is the date of the next scheduled cost of living increase?

_____ (Department Management)

_____ (Division Management)

_____ (Professional Employees)

_____ (General Employees)

- What is the amount of the next cost of living increase?

_____ (Department Management)

_____ (Division Management)

_____ (Professional Employees)

_____ (General Employees)

II. COMPENSATION SURVEY

Salary Data Collection Sheets – Refer to Descriptions on Pages 14-30.

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
1.	Accountant					
2.	Accounting Assistant II					
3.	Accounting Manager					
4.	Accounting Technician II					
5.	Administrative Assistant I					
6.	Administrative Assistant II					
7.	Air Quality Compliance Analyst II					
8.	Business Systems Analyst II					

Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
9.	Buyer					
10.	Chemist					
11.	Civil Engineer (P.E.)					
12.	Civil Engineering Associate II					
13.	Computer Operator II					
14.	Conservation Analyst II					
15.	Construction Administration Representative II					
16.	Construction Administrator					
17.	Construction Inspector					

Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
18.	Construction Inspection Supervisor					
19.	Controls Technician II					
20.	Custodian II					
21.	Customer Service Field Representative II					
22.	Customer Service Manager					
23.	Customer Service Representative II					
24.	Customer Service Supervisor					
25.	Development Services Representative II					
26.	Director of Community Involvement					

Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
27.	Director of Engineering					
28.	Director of Human Resources and Risk Management					
29.	Director of Information Systems					
30.	Director of Maintenance					
31.	Director of New Business Development					
32.	Director of Purchasing and Contracts					
33.	Director of Water Operations					
34.	Director of Water Reclamation					
35.	Distribution Operator III					

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Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
36.	Electrical Services Supervisor					
37.	Engineering Technician II					
38.	Environmental Compliance Analyst II					
39.	Executive Assistant					
40.	Fabrication Welder II					
41.	Facilities Location Supervisor					
42.	Facilities Location Technician					
43.	Facilities Maintenance Technician II					
44.	Field Services Manager					

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Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
45.	Field Services Supervisor					
46.	Fleet Maintenance Mechanic II					
47.	Fleet Services Manager					
48.	GIS Analyst					
49.	Human Resources Analyst II					
50.	Human Resources Manager					
51.	Hydrologist					
52.	Industrial Engine Technician II					
53.	Laboratory Manager					

Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
54.	Laboratory Technician II					
55.	Legislative Affairs Manager					
56.	Machinist/Tool Maker II					
57.	Management Analyst II					
58.	Meter Reader II					
59.	Meter Repair Technician					
60.	Office Assistant					
61.	Operations Representative II					
62.	Payroll Administrator					

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Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
63.	Personal Computer Support Technician II					
64.	Plant Maintenance Technician II					
65.	Portable Water Treatment Operator III					
66.	Public Affairs Officer					
67.	Purchasing Manager					
68.	Safety and Risk Manager					
69.	Safety Officer					
70.	Senior Database Administrator					
71.	Source Control Inspector II					

Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
72.	Source Control Supervisor					
73.	Storekeeper II					
74.	Supervisor, Water Operations					
75.	Systems Administrator					
76.	Systems Control Operator II					
77.	Systems Support Manager					
78.	Training and Development Coordinator					
79.	Utility Worker II					
80.	Wastewater Collection Manager					

Proposal to the City of Bell
Classification and Compensation Study

#	Survey Class Title	Your Agency's Class Title	Min. monthly salary	Max. monthly salary	If no match, list which class performs these duties	Comments
81.	Water Reclamation Plant Manager					
82.	Water Reclamation Plant Operator III					
83.	Waterworks Maintenance Technician II					
84.	Waterworks Technician III					

#	SURVEY CLASS	CLASS DESCRIPTION
1.	Accountant	Journey level professional classification; performs accounting functions in the analysis, preparation and maintenance of financial records and reports for various District accounts and funds; prepares original and adjusting journal entries; performs reconciliations of general ledger, journal, subsidiary accounts, bank statements, invoices and other accounting transaction reports; analyzes and prepares reports on revenue estimates, expenditures and fund conditions; prepares supporting schedules and reports for financial statements.
2.	Accounting Assistant II	Journey level clerical classification; prepares checks and cash for deposit; verifies, balances, and summarizes daily cash transactions including fees received, checks returned, manual checks and other cash transactions affecting District bank account balances; endorses checks for deposit; performs a high volume of data entry of customer account payments requiring the ability to identify and correct errors in reconciliation and cash balancing; ensures the accurate crediting of payments for multiple services.
3.	Accounting Manager	Division manager; areas of responsibility include: banking, payment processing, investment transactions, payroll, accounts payable, accounts receivable, and general accounting; participates in performing professional accounting duties in the analysis, preparation and maintenance of financial records, statements and reports; ensures appropriate financial controls and security measures are in place to safeguard District funds; participates in the development of the District's annual operating budget; performs complex and difficult financial and accounting analyses; manages the District's banking relationships and the monthly closing process.
4.	Accounting Technician II	Journey level technical classification; performs accounting support and administrative work in the preparation, processing and maintenance of accounting and financial records requiring a broad understanding of the District's budgeting and financial accounting system; processes invoices for payment; ensures timely processing to receive vendor payment discounts; verifies the accuracy of received orders and vendor invoices; reconciles and resolves discrepancies in supporting documentation and vendor invoice errors; answers questions regarding purchases and invoices; maintains files, pay requests and related documents.
5.	Administrative Assistant I	Performs a variety of specialized office clerical and records management duties; types, formats, edits, proofreads and revises reports, correspondence, memoranda and related

#	SURVEY CLASS	CLASS DESCRIPTION
		documents; creates spreadsheets; collects and compiles data and information; inputs data into computer programs; answers and screens telephone calls; greets and directs visitors; maintains files and records.
6.	Administrative Assistant II	Performs a variety of difficult, responsible and specialized administrative and office support functions; types, formats, edits, proofreads and revises reports, correspondence, memoranda and related documents; compiles, prepares and processes agreements and addenda; schedules conferences; maintains complex project tracking databases; attends meetings and takes notes; types and distributes minutes of meetings; may provide administrative assistance in compiling and preparing the department's budget; answers and screens telephone calls; greets and directs visitors; maintains files and records.
7.	Air Quality Compliance Analyst II	Journey level professional classification; performs a wide range of air quality compliance duties including equipment and facility permitting, compliance auditing, emissions control research, record keeping and reporting; implements air quality compliance programs, policies and procedures to ensure the District's compliance with all applicable air quality laws and regulations; implements District's air quality permitting program as required by applicable law and regulations; obtains data from various sources; compiles and completes required air quality permit applications; negotiates permit conditions during permit application and approval processes.
8.	Business Systems Analyst II	Journey level professional classification; may either work alone or as members of project teams; performs applications design, programming, testing and implementation of computer application software packages; programs modifications and enhancements; responsibilities include applications development, conversion, installation and/or maintenance projects; meets with users; plans, organizes and defines project requirements, methods and end objectives; coordinates project activities with team members, other information systems staff, user representatives and outside vendors.
9.	Buyer	Journey level professional classification; purchases materials, supplies and equipment using standard procedures, specifications and vendor catalogs; maintains inventory control on materials and supplies; checks stock item purchase requisition against SAP inventory control records to insure proper inventory levels, and verifies non-stock requisitions for completeness and accuracy of information; follows up and

#	SURVEY CLASS	CLASS DESCRIPTION
		expedites orders; coordinates deliveries of materials with originating department.
10.	Chemist	Professional and supervisory-level classification; performs a variety of simple to complex quantitative and physical tests on raw water, potable water and wastewater effluent samples to determine the presence of trace metals and organic and inorganic substances in compliance with federal, state and local requirements; completes both routine and complex quantitative chemical analyses; performs wet chemical, biochemical, bacteriological and instrumental analyses of samples collected from various areas within the District's water and wastewater systems using mandated methods; prepares standards, reagents and samples for analysis; conducts the more difficult and complex sample preparation and analyses, both organic and inorganic.
11.	Civil Engineer (P.E.)	Journey level professional and registered classification; performs complex professional engineering work in the research, planning, design and construction of water and sewer capital improvement and construction projects; completes complex engineering assignments requiring use of judgment and initiative in developing solutions to problems, interpreting policies and determining work assignments; responsible for planning future system needs and developing, implementing, and monitoring major construction and/or developer projects from inception to completion of design; may oversee, coordinate and review the work of professional and technical personnel. Registration with the State of California as a Professional Civil Engineer is required.
12.	Civil Engineering Associate II	Journey level professional non-registered classification; performs civil engineering work in the research, planning, design and construction of water and sewer capital improvement and construction projects; prepares plans and specifications for the construction of a variety of water and wastewater structures including pipelines, pumping stations, lift stations, filtration plants, water tanks, drainage facilities and roadways; researches and identifies project design requirements; conducts computer modeling of the system and facilities to determine design requirements and parameters; analyzes and determines hydraulic requirements. E.I.T. Certificate required.
13.	Computer Operator II	Journey level technical classification; operates District's computer system to process various data in accordance with operating instructions; runs designated production jobs; maintains and operates designated terminals and peripheral devices; monitors message, job and print queues; responds to

#	SURVEY CLASS	CLASS DESCRIPTION
		console messages and equipment signals.
14.	Conservation Analyst II	Journey level professional classification; performs duties in support of the District's conservation, education, and community involvement programs; serves as liaison between the District and other public agencies, community and industry groups and the media; recommends, develops and coordinates implementation of District conservation programs; assists in analyzing program goals, performance measures, and sources of funding.
15.	Construction Administration Representative II	Journey level classification; performs responsible, specialized administrative support functions and services associated with the District's facilities and infrastructure construction projects; provides construction contract tracking, administration and support services; organizes, compiles and follows through on a variety of documentation related to the District's engineering construction projects; undertakes specialized support assignments.
16.	Construction Administrator	Oversees and coordinates administrative aspects of the District's construction programs and projects; administers complex construction project contracts; researches and plans for water and sewer capital construction programs and maintenance/ improvement programs; ensures all construction contract provisions are carried out in a timely manner in accordance with District requirements and budget limitations; requires initiative in scheduling, monitoring and coordinating the work of external contractors.
17.	Construction Inspector	Journey level technical classification; performs a full range of construction inspections of the District's water and wastewater infrastructure projects including water, sewer, and reclaimed water construction projects and installations; interprets plans and specifications to ensure contract compliance; monitors and inspects the construction of pipes, water tanks, lift stations, water treatment plants, fittings, valves, vault structures, irrigation, landscaping and other projects throughout the District; makes recommendations on change orders; confers with supervisors, consultants, contractors and various District staff on field design conflicts, construction requirements and contract documents.
18.	Construction Inspection Supervisor	First line supervisory classification; responsibilities include advanced technical work in the inspection of large or specialized District construction projects and installations; acts as liaison between the District and outside contractors on large or specialized construction projects including inspection services for treatment plants, pump stations, lift stations, pipelines, and wells; inspects, monitors, conducts sampling

#	SURVEY CLASS	CLASS DESCRIPTION
		and records construction activities and installations to ensure compliance with project documents including those pertaining to reinforcing steel and concrete placement, pipeline valves, fittings, and other appurtenances; major mechanical and electrical installation; structural masonry; instrumentation; earthwork; irrigation systems and landscaping; major gaseous and liquid fed chlorine systems; heating, ventilation and air conditioning systems; and welds on piping, pumping stations and lift stations.
19.	Controls Technician II	Skilled, journey level classification; duties include the design, development, installation, modification, testing, troubleshooting, calibration, maintenance and repair of electrical and electronic supervisory control systems, plant control systems, and RF and fiber optic-based telecommunication systems used in the production, treatment, storage, transmission and distribution of potable and reclaimed water and the collection of wastewater; rebuilds equipment to manufacturer's specifications, including motor controllers, flow and pressure transmitters, level instruments, audio-tone transmitters, radio communication, process control, supervisory control, telemetry systems, devices and scientific instruments by using operational performance standards.
20.	Custodian II	Journey-level classification; performs custodial and cleaning duties in District buildings, facilities and adjacent grounds; sweeps, mops, scrubs and polishes floors; sweeps and vacuums rugs; cleans carpets; dusts and polishes furniture and woodwork; empties, cleans and lines waste receptacles and disposes of trash; washes doors, windows, walls, ceilings, blinds and furniture; cleans break rooms and restrooms; restocks restroom supplies.
21.	Customer Service Field Representative II	Journey level classification; performs a variety of services to District customers in the field, ranging from turning on water service, answering general customer questions and testing and making minor repairs to faulty water meters; delivers delinquency notices; collects payments or turns off water service because of account delinquency; identifies and reports evidence of illegal water use.
22.	Customer Service Manager	Management classification responsible for all office and field customer service and billing-related operations and activities including billing, account and collection problems, and general service questions; plans, organizes, and directs customer service personnel who provide information, research problems, and perform collections and credit arrangement activities; performs special projects and handles the more

#	SURVEY CLASS	CLASS DESCRIPTION
		difficult, complex or sensitive customer account problems and disputes; formulates and develops unit goals and objectives.
23.	Customer Service Representative II	Journey level classification; provides a variety of services to the District's customer base by telephone and in person; performs routine to complex customer service functions including providing information, researching problems, negotiating collection and credit arrangements in order to initiate, add to or terminate residential, commercial and agricultural water service accounts.
24.	Customer Service Supervisor	First line supervisory classification; plans, organizes, and supervises office and field customer service personnel who provide information, research problems, perform collections and credit arrangement activities, and disconnect water service from delinquent accounts; performs special projects and handles the more difficult, complex or sensitive customer account problems and disputes; reviews utility bills for accuracy prior to release for mailing; responsible for enforcing and recommending unit goals and objectives.
25.	Development Services Representative II	Journey level technical classification; reviews and processes developer and property owner requests for water, sewer, landscape irrigation and other services; calculates installation fees and connection charges; assists customers in completing applications; reviews parcel maps and records to identify service location, installation and connection requirements; determines source control requirements for non-residential sewer installations and connections based on District Water and Sewer Rules and Regulations and requirements; performs research and responds to difficult customer questions and problems; accepts and processes fire hydrant construction meter requests; sets up project files and customer accounts.
26.	Director of Community Involvement	Department director; responsibilities include policy direction, planning, organizing, directing and implementing District-wide community involvement, public information and conservation programs; participates in representing the District on public and media relations matters including facilitating and enhancing two-way communication between the District and its stakeholders; provides expert professional assistance and guidance to District management on community and public affairs, media relations and conservation matters; prepares and administers department budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.

#	SURVEY CLASS	CLASS DESCRIPTION
27.	Director of Engineering	Department Director; responsibilities include policy direction, planning, organizing, directing and implementing comprehensive strategies and programs for engineering design, development and construction of large potable water, wastewater and reclaimed water collection and distribution systems; provides expert professional assistance and guidance to District management on engineering project design, development and implementation issues; directs and coordinates the work of consultants engaged in engineering design and construction projects; develops and administers department budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards. Requires registration as a Professional Engineer.
28.	Director Human Resources and Risk Management	Department Director; responsible for policy direction, planning, organizing, directing and implementing comprehensive District-wide human resources and risk management programs; provides expert professional assistance and guidance to District management on human resource, employee relations and risk management matters; develops, implements and monitors long-term plans, goals and objectives; develops and administers the department's budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.
29.	Director of Information Systems	Department Director; responsible for policy direction, planning, organizing and directing the activities and staff of the Information Systems department; providing comprehensive District-wide information technology programs and services; provides expert professional assistance and guidance to District management on technology strategy, long-term technology initiatives and the use of technology to solve operational needs and problems; technology areas include business systems applications, engineering and technical operating systems, networking and data communications systems; prepares and administers department budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.
30.	Director of Maintenance	Department Director; directs, plans, organizes, and implements comprehensive strategies and programs for the construction and maintenance of a large potable water distribution and waste water collection system; provides

#	SURVEY CLASS	CLASS DESCRIPTION
		expert professional assistance and guidance to District management on maintenance related issues; directs and coordinates the work of District staff and contractors engaged in the construction of the District's water distribution and wastewater collection systems and facilities; prepares and administers department budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.
31.	Director of New Business Development	Department Director; provides policy direction, plans, organizes, directs and implements comprehensive District-wide new business programs; provides expert professional assistance and guidance to District management on new business/tract development matters; manages and integrates District-wide programs and services intended to build the image of the District as an innovative, responsive, cost effective water utility; develops, implements and monitors long-term plans, goals and objectives; develops and administers the department's budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards
32.	Director of Purchasing and Contracts	Department Director; provides policy direction, plans, organizes, directs, and implements comprehensive District-wide programs involving the procurement and warehousing of materials, equipment, and supplies, and the development of contracts and agreements; provides expert professional assistance and guidance to District management on procurement matters; functional areas include the District's procurement, material handling/warehousing, contracts, records management, and centralized mail and reproduction services units; develops and administers the department's budget; manages and directs the development, implementation, and evaluation of plans, policies, systems, and procedures to achieve annual goals, objectives, and work standards.
33.	Director of Water Operations	Department Director; provides policy direction, plans, organizes, directs and implements comprehensive strategies and programs for the District's Water Operations Department; provides expert professional assistance and guidance to District management on water operations matters; provides comprehensive strategies and programs for the operation of a large potable and reclaimed water production and distribution system; prepares and administers the department's budget; manages and directs the

#	SURVEY CLASS	CLASS DESCRIPTION
		development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.
34.	Director of Water Reclamation	Department Director; provides policy direction, plans, organizes, directs and implements comprehensive strategies and programs for the operation and maintenance of the District's water reclamation plants, facilities and systems; provides expert professional assistance and guidance to District management on water reclamation matters; directs and coordinates the work of District staff and contractors engaged in the construction, renovation and repair of the District's water reclamation plants, systems and facilities; prepares and administers the department's budget; manages and directs the development, implementation and evaluation of plans, policies, systems and procedures to achieve annual goals, objectives and work standards.
35.	Distribution Operator III Distribution Operator III, continued	Journey level classification: operates the treatment and distribution systems through monitoring, inspecting and maintaining the potable and reclaimed water production, storage, pumping equipment and distribution systems; inspects, operates, maintains, services and performs operational repairs to facilities and equipment used in the storage, treatment and distribution of potable and reclaimed water; monitors water quality; performs operational adjustments to the distribution system to ensure compliance with quality and regulatory requirements. Requires a Grade II Water Treatment Operator certificate and a Grade III Distribution Operator certificate.
36.	Electrical Services Supervisor	First line supervisory classification; plans, assigns, inspects and participates in the work of personnel involved in the design, installation, testing, calibration, modification, maintenance, repair and servicing of industrial electrical and electronic instruments, equipment, devices, controls and machinery used in the production, treatment, storage and transmission of potable and reclaimed water and the collection and transmission of wastewater, including field telemetry communications systems; provides supervision, technical assistance and training to a staff of journey-level industrial electrical and electronics technicians and related maintenance personnel; responsible for assisting the manager in formulating and developing unit goals and objectives, supervising assigned personnel and directing day-to-day activities.
37.	Engineering Technician II	Skilled, journey-level technical engineering classification; performs paraprofessional engineering work by providing

#	SURVEY CLASS	CLASS DESCRIPTION
		support and assistance to professional engineering personnel; prepares cost estimates for proposed construction projects; performs mapping and drafting work; prepares plans, specifications, calculations, evaluation and design for routine civil engineering projects or structures for approval by professional engineers; assists in or performs the preliminary design and preparation of engineering plans, sketches, layouts, graphic displays, exhibits, maps and plans for water and sewer and reclaimed water facilities.
38.	Environmental Compliance Analyst II	Journey level professional classification; performs environmental and regulatory compliance duties in response to federal, state, regional, and local environmental regulations including equipment and facility permitting, compliance auditing, tracking of regulatory changes and associated impacts on District operations, record keeping and reporting; evaluates and resolves routine to complex regulatory compliance issues.
39.	Executive Assistant	Provides confidential and highly responsible administrative and secretarial support to the District's executive managers; composes or prepares correspondence; takes dictation and accurately transcribes information which may be of a confidential, personnel, or business nature into correspondence, memoranda, reports, etc.; prepares agendas, attends meetings and conferences, and takes and transcribes notes of actions and proceedings into minutes or records; maintains calendars, and schedules appointments and travel arrangements; maintains travel order files and compiles weekly reports; operates personal computer and on-line systems to maintain a variety of records and files.
40.	Fabrication Welder II	Journey-level classification; performs skilled and difficult combination welding tasks in the maintenance, repair, modification and fabrication of equipment, vehicles, tools, machinery and facilities; designs and fabricates specialized tools and equipment; fabricates a wide variety of supports, brackets, ladders, racks, tanks, cages, railings, small bridges and other metal structures; straightens, shapes, brazes, tempers, cuts and welds varied metals in repair tasks.
41.	Facilities Location Supervisor	First line supervisory classification; plans, organizes and supervises facilities location activities and staff; acquires encroachment permits for Field Services, Collections, and Engineering from city and county agencies; investigates damaged District facility incidents to determine liability and recover repair costs; assists in developing and implementing goals, processes and procedures; supervises and coordinates staff; administers the unit budget and directs day-to-day

#	SURVEY CLASS	CLASS DESCRIPTION
		activities.
42.	Facilities Location Technician	Journey-level technical classification; independently conducts location and leak detection activities throughout the District; locates and marks the District's underground facilities in compliance with mandated and District regulations; locates and marks underground water and sewer utility lines using electronic instruments, maps, aperture cards and measuring devices; completes line location reports for review and approval by the supervisor; reviews record drawings pertaining to daily work assignments; notifies USA when District crews are excavating; maintains records of USA transactions; locates and exposes water valves.
43.	Facilities Maintenance Technician II	Skilled, journey-level classification; performs tasks in the construction, alteration, maintenance and repair of District buildings and facilities; performs building trades tasks related to facilities, grounds and waterworks system maintenance and repair including but not limited to heating systems, evaporative coolers and chillers, rough and finished carpentry, skilled cabinet making, concrete and masonry work, construction and installation of fences, plumbing, metal fabrication, painting, and roofing.
44.	Field Services Manager	Management classification; plans, organizes and directs the work of crews and personnel involved in the installation, construction, maintenance and repair of physical facilities, water mains, services and related appurtenances associated with a large potable and reclaimed water distribution system and in the construction, alteration, maintenance and repair of District buildings, facilities and landscaped areas; monitors work plans to achieve goals and objectives; supervises and participates in developing, implementing and evaluating plans, work processes, systems and procedures, objectives and work standards.
45.	Field Services Supervisor	First line supervisory classification; plans, assigns, directs and inspects the repair and maintenance programs related to the District's mains, service lines and related appurtenances used in the distribution of potable and reclaimed water; provides first-level supervision, technical assistance and training to assigned staff of maintenance and construction personnel; responsible for formulating and developing assigned unit goals and objectives, supervising assigned personnel, and directing day-to-day activities.
46.	Fleet Maintenance Mechanic II	Journey-level classification; diagnoses, maintains, repairs and overhauls a wide variety of diesel, gasoline and natural gas-powered heavy and light trucks, construction equipment and automobiles; operates a variety of hand, power and shop

#	SURVEY CLASS	CLASS DESCRIPTION
		tools; performs maintenance and repairs to automobiles, light-medium-and heavy duty equipment, portable pumps, and other internal combustion powered equipment.
47.	Fleet Services Manager	Management classification; plans, organizes, and directs the repair, maintenance, and servicing of District-owned, -leased, or -contracted vehicles and equipment; researches and prepares studies and reports related to current and long-range District fleet needs and requirements and develops recommendations/ proposals to meet them; responsible for directing the District's centralized fleet management function; monitors work plans to achieve goals and objectives; supervises and participates in developing, implementing and evaluating plans, work processes, systems and procedures, objectives and work standards.
48.	GIS Analyst	Journey level professional classification; provides support related to the development, operation, and maintenance of the District's Geographic Information System (GIS); performs a variety of GIS tasks in support of water resources capital improvement projects, environmental studies, and demographic analysis to compile critical data in a variety of formats to generate and document solution alternatives for comparison; generates reports, maps, diagrams, exhibits, and displays for presentation to the Board, general public, and external agencies; analyzes and implements GIS tools needed to visualize complex water resources related issues; trains and assists end users in systems capabilities.
49.	Human Resources Analyst II	Journey level professional classification; performs human resources duties in a variety of program areas, including employment, recruitment, compensation, and job evaluation; provides staff support in the administration/implementation of the District's human resources programs; prepares statistical analysis and reports related to assigned program area.
50.	Human Resources Manager	Management classification; supervises and performs a variety of complex professional and technical activities in support of the District's human resource management programs including recruitment and selection, classification, compensation, employee relations, performance appraisal, benefits, and supervisor-employee development; supervises a business unit and participates in the delivery of human resource program services in assigned areas of functional responsibility; provides professional advice and counsel to District managers, supervisors and employees.
51.	Hydrologist	Professional journey-level classification; performs and assists in planning, organizing, directing, and managing hydrologic

#	SURVEY CLASS	CLASS DESCRIPTION
		and hydrogeologic projects; compiles data upon which to base decisions for the water resources management programs; assignments involve the analyses of hydrologic data and development of complex numerical tools; conducts and/or assists in the analyses and review of field data including groundwater levels, well production, surface flows, laboratory results, recharge rates, climatological information, aquifer and well testing and other relevant information related to water resources management.
52.	Industrial Engine Technician II	Journey-level classification; performs inspection, diagnosis, troubleshooting, maintenance, repair and services to large industrial stationary natural gas and diesel engines ranging in size up to 2000 horsepower; diagnoses and performs minor and major repairs and overhauls on engines and related appurtenances such as pumps, gear heads, gear boxes and fuel and air pollution control systems; rebuilds engines, pumps, valves and other mechanical equipment; troubleshoots a variety of systems including electrical and controller devices.
53.	Laboratory Manager	Management classification; plans, directs, and manages the operations of the District's laboratory and technology systems including testing/analytical support to the District's water and wastewater operations; directs District laboratory services including testing analyses, data management, the evaluation of new laboratory technology and contracted laboratory services; monitors work plans to achieve goals and objectives; supervises and participates in developing, implementing and evaluating plans, work processes, systems and procedures, objectives and work standards. Requires certification as a Grade IV Laboratory Analyst.
54.	Laboratory Technician II	Journey level technical classification; responsible for conducting a full-range of sampling, sample receiving, chemistry, and microbiology related technical water quality support assignments; performs technical duties related to collection and analysis of raw water, potable water, wastewater, and sludge samples; collects numerous water samples and wastewater samples throughout the District including but not limited to bacteriological, inorganic, organic, and radiological samples; performs routine field analyses on potable and non-potable water samples using a wide range of laboratory equipment to test for chlorine residuals, turbidity, dissolved oxygen, pH and other analyses as directed.
55.	Legislative Affairs Manager	Management classification; plans, organizes, and manages the District's Legislative Affairs operations by providing assistance to District management in formulating policy and legislative

#	SURVEY CLASS	CLASS DESCRIPTION
		positions; serves as chief spokesperson for the District on legislative and intergovernmental relations issues; provides expert professional assistance and guidance to District management on intergovernmental affairs; responsible for managing and integrating legislative and intergovernmental activities at the state and federal levels; develops and administers the annual budget; manages and directs the development, implementation, and evaluation of plans, policies, systems, and procedures to achieve annual goals, objectives, and work standards.
56.	Machinist/Tool Maker II	Journey-level classification; performs duties in the design, fabrication, installation, maintenance, repair and servicing of mechanical equipment and machinery used in the production, treatment, storage, transmission and distribution of potable and reclaimed water and the collection, transmission and treatment of wastewater; sets-up, operates, and maintains machine shop equipment such as lathes, horizontal and vertical milling machines, surface grinders, and related devices.
57.	Management Analyst II	Journey-level professional classification; performs professional administrative, financial, budgetary, statistical and other management and legislative analyses in support of departmental or District-wide activities, functions and programs; recommends action and assists in formulating policy, procedure, work flow designs and legislative positions, and budget development and implementation; projects may include statistical analysis, policy, procedures, budget development, legislative analysis or other areas specific to the assignment.
58.	Meter Reader II	Journey level classification; reads water meters at commercial, industrial and residential establishments; travels to assigned routes; records readings and determines whether consumption is consistent with established limits; observes and reports meter-reading problems for needed corrections or repairs.
59.	Meter Repair Technician	Journey level classification; performs semi-skilled and skilled duties in the installation, diagnosis, troubleshooting, maintenance, repair and calibration of residential, commercial and industrial water meters; work is performed in both shop and field locations; plans and lays out work from instructions and/or work orders, using blueprints, sketches and drawings.
60.	Office Assistant	Journey level clerical classification; performs a wide variety of clerical support functions including receptionist, data entry and records management duties which require a general knowledge of departmental procedures and practices; types,

#	SURVEY CLASS	CLASS DESCRIPTION
		formats, edits, revises, proofreads and prints notices, reports, correspondence, memoranda, transmittal sheets, routine contracts and other documents.
61.	Operations Representative II	Journey level classification; responds by telephone and radio to inquiries and complaints from customers and others regarding water quality, water pressure, loss of service, delinquent bills, and related matters; receives and transmits telephone and voice radio messages; provides appropriate District personnel with information received from the public, water distribution operators, and others; monitors and operates the SCADA terminals and enters operations-related data into several databases.
62.	Payroll Administrator	Performs highly responsible professional accounting work in the preparation, processing and administration of the District payroll and related financial records; verifies, audits, edits and processes the final payroll, benefit program payables and pay; generates and checks final payroll reports and registers; generates paychecks; insures timely and accurate posting of payroll to the financial accounting system; processes special payroll transactions such as wage assignments and liens, advances and child support payments; calculates and manually prepares special payroll transactions and advance pay checks.
63.	Personal Computer Support Technician II	Journey level technical classification; serves as first level responder to desktop computer related issues; receives and responds to inquiries and requests and provides technical assistance to end users on personal computers and peripheral equipment; troubleshoots hardware, software, network interface and other problems ranging from the simple to the complex; resolves or coordinates action by District staff and/or vendors to resolve identified problems.
64.	Plant Maintenance Technician II	Journey level classification; performs duties in the installation, maintenance, repair and servicing of mechanical equipment and machinery used in the operation of a large, state-of-the-art waste water reclamation plant; performs diagnosis, troubleshooting, maintenance, repair and servicing of treatment plant equipment, components, facilities and machinery, such as pipes, tubes, rods, seals, shafts, stuffing boxes, gears, motors, bearings, couplings, belt pressers, chemical storage and feed systems, valves, and pumps (vertical turbine, submersible, split case horizontal, electrical, natural gas, diesel, right angle, etc.); tests and monitors equipment and machinery for vibration, bearing temperature and output capacity.
65.	Potable Water Treatment Operator	Journey level classification; performs a variety of skilled duties

#	SURVEY CLASS	CLASS DESCRIPTION
	III	in the operation and maintenance of the District's water treatment facilities; reads meters, gauges and charts; regulates water flows in accordance with established procedures; maintains operating logs and records; monitors water quality and adjusts treatment processes; adjusts and calibrates chemical feeder control systems; inspects pumps for proper operation; services pumps and pumping equipment. Requires a Grade III Water Treatment Operator certificate and a Grade II Water Distribution Operator certificate.
66.	Public Affairs Officer	Serves as liaison between the District and designated public agencies, community and industry groups and the media; facilitates two-way communication between the District's stakeholders and its staff representing the District in meetings with such groups; works with other staff to respond actively to the issues and concerns; designs, writes and coordinates the production of print and audiovisual materials and other services supporting District public affairs initiatives; performs activities in the development of public awareness, information and other community programs, as well as internal communications activities.
67.	Purchasing Manager	Management classification; provides overall administrative direction of the purchasing activities for the District; directs and participates in the purchasing of a wide range of materials, supplies, services and equipment; provides technical support, information and assistance to departments on purchasing issues and the development of applicable standards and specifications; directly supervises professional and technical positions within the purchasing unit; authorizes purchases in conformance with established policies and procedures; prepares and maintains standard specifications for materials, supplies and equipment; conducts market or appropriate surveys to establish commodity availability and pricing trends; solicits and opens bids and informal quotations; reviews bids and may recommend award.
68.	Safety and Risk Manager	Management classification; plans, organizes, coordinates and supervises a comprehensive safety, risk management, and loss control program for the District; assesses risk exposure; develops security programs, strategies, and solutions designed to limit loss or damage to District property; examines and recommends safety and risk management techniques including the assumption of risk, elimination, reduction and transfer of risk through self-insured programs and the purchase of insurance coverage; determines optimum types and levels of insurance coverage and participates in the

#	SURVEY CLASS	CLASS DESCRIPTION
		award of insurance contracts.
69.	Safety Officer	Journey level professional classification; promotes safe and secure work practices at various work locations and work environments to control and reduce employee injuries, and safety infractions; ensures compliance with safety, health and environmental safety regulations and requirements; advises District managers on security issues and safe work methods and practices and the elimination of environmental hazards; develops and prepares reports and assists with implementing safety and security rules, regulations and programs; develops, presents and coordinates training programs to promote safe and secure work practices in office and field environments; counsels employees on safe working methods and the observance of safety codes and administrative regulations; prepares communications for distribution to encourage effective accident prevention techniques including safety handbooks and training manuals; inspects equipment, observes operations, records and evaluates safe work conditions; investigates, and prepares reports on accidents and injuries and recommends prevention practices.
70.	Senior Database Administrator	Journey level classification performing database administration for District systems applications; serves as an expert technical resource to Information Systems staff on database architecture, design and administration; recommends and maintains department standards for database design and data administration; assumes responsibility for systems security; develops back up procedures; ensures the integrity of the database; controls user access; develops physical database designs, specifying table space and table storage parameters, index storage requirements and performance tuning protocols.
71.	Source Control Inspector II	Journey level classification; inspects and monitors commercial and industrial businesses to ensure compliance with District and regulatory requirements regarding composition and quantity of discharges into the wastewater collection system; inspects pretreatment processes to ensure users are in compliance with District's source control programs; inspects customer facilities to ensure compliance with District ordinances and regulations regarding the use of reclaimed water and the cross-connection and backflow prevention; develops, implements and maintains source control program documentation and databases.
72.	Source Control Supervisor	First line supervisory classification; provides technical assistance and training to staff engaged in industrial waste pretreatment, reclaimed water use, and cross-connection and

#	SURVEY CLASS	CLASS DESCRIPTION
		backflow prevention, inspections and activities related to District wastewater operations; schedules, coordinates, inspects and participates in the activities of staff; prepares special and recurring studies and reports; assists the division manager in developing recommendations to improve program effectiveness.
73.	Storekeeper II	Journey level classification; receives, issues and stores materials and stock items; reconciles, codes, inventories, stores and issues materials, parts, tools, equipment and supplies used in the District's treatment, transmission, storage and distributions systems and facilities; issues, delivers and unloads materials and supplies; receives and fills requisitions for specialized orders; maintains records and files; operates forklift to move materials; receives requests and pulls materials from stock. Forklift Certification is required.
74.	Supervisor, Water Operations	Provides first-line supervision, training and technical assistance to assigned water distribution operations staff; plans, schedules, and assigns work to personnel engaged in the operation of the District's potable and reclaimed water distribution system; trains staff in the operation and maintenance of the water distribution and treatment system; ensures compliance with safety regulations and standards; responds to inquiries, complaints and emergency situations as necessary. Requires a Grade II Treatment Plant Operator certificate and a Grade III Water Distribution System Operator certificate.
75.	Systems Administrator	Journey level professional classification performing highly responsible systems administration functions for District computer platforms or networks; conducts systems analysis on new applications; configures data communication equipment and peripherals such as printers and plotters; responsible for independently performing highly responsible systems and network administration functions; adds and controls user profiles and accounts; maintains system security; configures and installs software upgrades; monitors and evaluates disk space utilization; partitions and allocates disk space to achieve optimal utilization.
76.	Systems Control Operator II Systems Control Operator II, continued	Journey level classification; operates and monitors water reclamation equipment, facilities and systems using electronic and computer-controlled systems (SCADA); analyzes system demands and abilities; controls, operates, monitors, and performs operational changes to storage, treatment and distribution of potable and reclaimed water. Requires a Grade II Treatment Plant Operator certificate and a Grade III Water Distribution System Operator certificate.

#	SURVEY CLASS	CLASS DESCRIPTION
77.	Systems Support Manager	Management classification; provides expert professional assistance and internal consulting to departments on information systems, network and computer processing technology and their application in meeting business and operating needs; participates in the development of District-wide plans for the long-term development of information technology programs; manages the activities and staff responsible for systems design, development, implementation and administration; develops information system standards and policies for the District's computer and network applications.
78.	Training and Development Coordinator	Assesses training and development needs through consultation with department heads, managers and employees and through periodic training needs assessment surveys; develops and recommends priorities, goals and plans of action to address identified needs; compiles and analyzes training cost data; prepares and recommends budget requests to accomplish agreed-upon training program priorities; plans and coordinates the delivery of training and development programs; conducts training classes; evaluates the effectiveness of training and development programs.
79.	Utility Worker II	Skilled journey level classification; performs tasks in the construction, installation, servicing, repair and maintenance of the District's mains, service lines and related appurtenances used in the production, treatment, storage, transmission and distribution of potable and reclaimed water and the collection and transmission of wastewater; operates light- and medium-duty motorized equipment; uses hand and power tools; installs and removes various types of trench shoring; cuts mains, lines, pipes and cables to permit repairs and installation; performs water main taps under pressure or following main shutdowns; operates and exercises large and small valves to shut-off and turn on water service.
80.	Wastewater Collection Manager	Management classification; plans, organizes and directs the work of crews and personnel involved in the installation, construction, maintenance and repair of wastewater mains, services and related appurtenances; contributes to the development of and monitors performance against the unit's budget; supervises and participates in developing, implementing and evaluating plans, work processes, systems and procedures to achieve annual goals, objectives and work standards. Requires a Grade III Collection System Maintenance certificate.
81.	Water Reclamation Plant Manager	Management classification; plans, organizes and directs the work of personnel engaged in the operation, monitoring,

#	SURVEY CLASS	CLASS DESCRIPTION
		regulation, maintenance and repair of a large, state-of-the-art water reclamation plant; responsible for managing and integrating the maintenance and operations staff assigned to a large water reclamation plant; contributes to the development of and monitors performance against the annual plant budget; supervises and participates in developing, implementing and evaluating plans, work processes, systems and procedures to achieve annual goals, objectives and work standards. Requires a Grade IV Wastewater Treatment Plant Operator certificate.
82.	Water Reclamation Plant Operator III	Journey level classification; operates wastewater treatment equipment, machinery and facilities by using manual, electronic and computer control systems to regulate and control processes; monitors wastewater treatment processes; performs routine laboratory tests; services machinery and equipment; inspects treatment plant equipment and machinery to ensure proper functioning and minimize interruptions in the treatment process; assists specialized trades personnel in making major and/or highly technical repairs to equipment, machinery and systems. Requires a Grade III Wastewater Treatment Plant Operator certificate.
83.	Waterworks Maintenance Technician II	Skilled, journey level classification; performs a variety of duties in the installation, maintenance, repair and servicing of mechanical equipment and machinery used in the production and treatment of potable and reclaimed water; trade areas include mechanical equipment such as pumps, motors, chemical feeders and related equipment located in treatment plants and pumping stations; operates light and heavy equipment.
84.	Waterworks Technician III	Skilled, journey level classification; performs work in the installation, maintenance and modification of distribution systems; trade areas covered by this class include cathodic protection, pump testing, automatic control valve setting, valve exercising and well sounding; performs annual inspections on all automatic control valves; conducts field testing procedures and monitors the installation of cathodic protection for water systems and reservoirs. Requires a Grade II Water Distribution Operator certificate.

III. BENEFITS SURVEY

This is a survey of your employee benefits and employer premium costs effective January 1, 2006.

Please enter the most commonly used benefit level and/or employer premium cost (i.e. employer contribution to health or dental insurance premiums) for family coverage.

If employees do not receive a specific benefit, please enter "NA" for not applicable in the appropriate columns.

Please report all premiums as a monthly employer cost.

CASH ADD-ONS				
What is the total Employee contribution, regardless of who pays it, as a percentage of base salary?				
What is the percentage of the Employee contribution paid by Employer (if applicable)				
What is the percentage of the Employee contribution paid by the Employee (if applicable)				
What is the maximum Employer contribution (enter as dollars or percentage of base salary).				
Please list the type(s) of plan offered, e.g. 401K, etc.				
Is this a matching contribution?	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___
If the answer to the above question was "yes" please provide details of the policy, (e.g. match is 50% of employee contribution up to a maximum of 5%, etc.)				

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*Proposal to the City of Bell
Classification and Compensation Study*

<p>Enter the amount paid per month, in dollars, or as a percentage of salary, for achievement of advanced degrees or training beyond that required for the class.</p>				
<p><i>Does your agency have a bonus pay program for any of these groups? If yes, please attach a copy of any documents detailing your bonus programs.</i></p>	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___
<p><i>Are bonuses paid on an annual basis?</i></p>	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___	Yes ___ No ___
<p><i>What are the bonus parameters, (e.g. minimum of 2%, maximum of 6%)?</i></p>				
<p><i>On average, what is the percentage of bonus paid for each group for the listed fiscal years?</i></p>	2003 ___ 2004 ___ 2005 ___			
<p>Enter the amount paid per month, in dollars, or as a percentage of salary, for premium pay based on length of service. Enter each level of longevity pay including the year of service and corresponding premium pay amount.</p>				

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Proposal to the City of Bell
Classification and Compensation Study

List the employer's maximum contribution for full family coverage (if included in medical, indicate by entering "inc").			
List the employee's contribution for full family coverage.			
Employer Contribution (in cents per \$1,000 of coverage).			
Coverage amount.			
Employer contribution (in cents per \$100 covered payroll).			
Benefit provided (e.g. 66 2/3%, 50% to maximum of \$6,000 per month, etc.)			
Indicate whether your agency participates in Social Security at the full rate of 7.65% (Medicare and FICA), or 1.45% (Medicare only)			
What is the actuarially determined Employer contribution (NOT including employee contributions paid by employer) as a percentage of base salary?			
What is the retirement benefit provided to employees, (e.g. 2% @55 , etc.)			
What is the retirement formula (e.g. highest year, etc.?)			
Please list the type of retirement your agency participates in, e.g. 37 Act, PERS, etc.			

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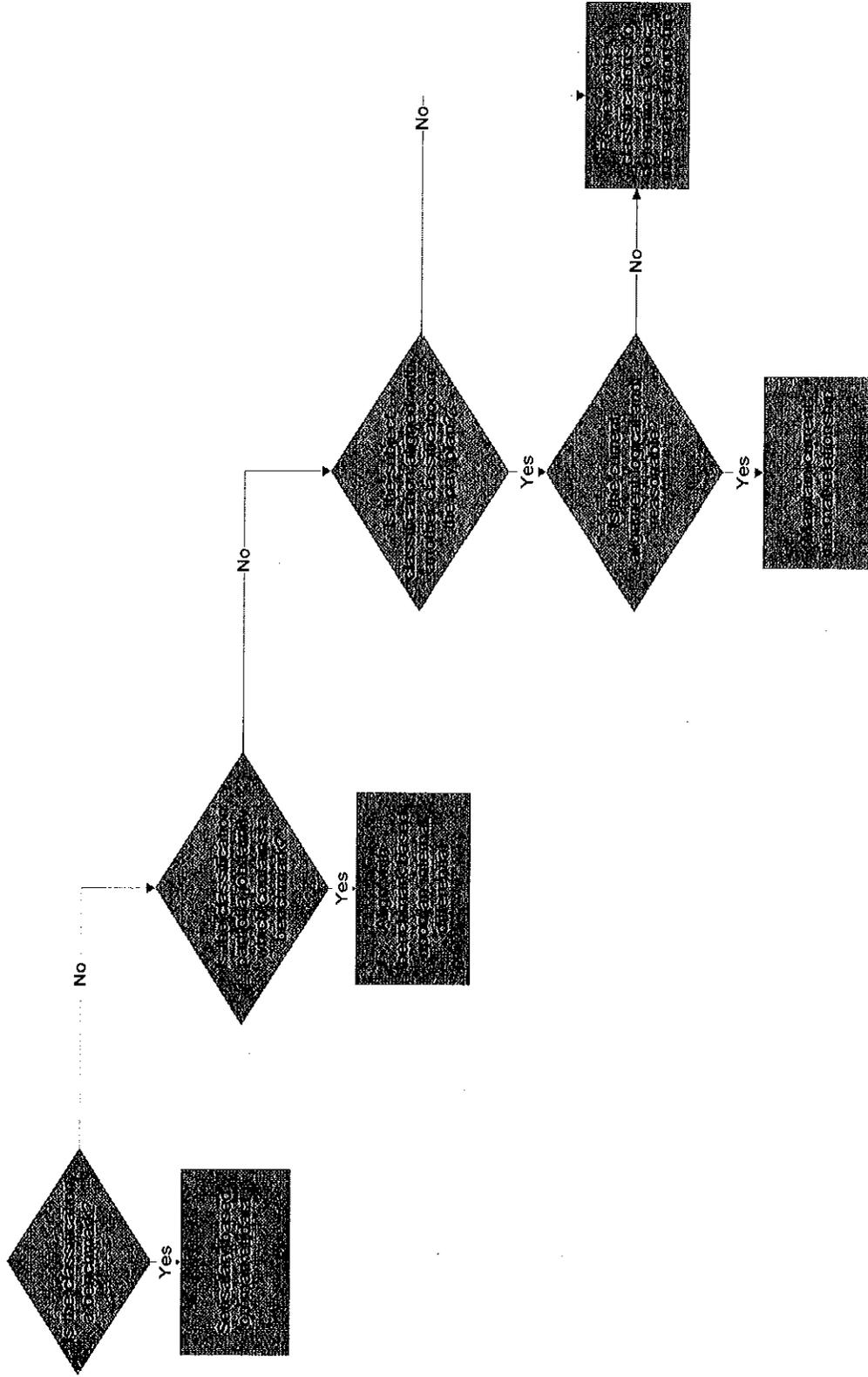
LEAVE PRACTICES										
Enter the number of days accrued per year for each year of service, as well as the maximum amount that can be accrued in that particular year	Year 1		Year 5		Year 10		Year 15		Year 20	
	Accrual	Max. Accrual								
Year 1										
Year 5										
Year 10										
Year 15										
Year 20										
Maximum Accrual _____										
List the year of service for maximum accrual _____										
Does your agency permit employees to cash out vacation leave on an annual basis? (excludes termination or retirement).	Yes ___ No ___									
If yes, please provide details of the terms for cashing out vacation leave, or attach a copy of the policy.										

*Proposal to the City of Bell
Classification and Compensation Study*

	Accrual		Max. Accrual		Accrual		Max. Accrual		Accrual		Max. Accrual	
	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___
List the number of days per year, as well as the maximum accrual allowed.												
<i>Does your agency permit employees to cash out sick leave on an annual basis, or upon retirement or termination?</i>	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___
If yes, please provide details of the terms for cashing out sick leave, or attach a copy of the policy.												
List the number of holidays provided each year to each group.												
<i>Does your agency provide administrative leave for each of these groups?</i>	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___	Yes ___	No ___
<i>If yes, please indicate the number of days provided per year.</i>												

Appendix C – Total Compensation Datasheet

Appendix D – Internal Equity Analysis Flow Chart



City of Bell Agenda Report

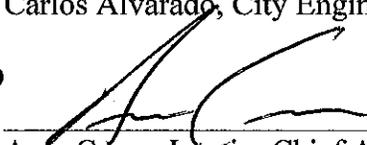
DATE: October 26, 2011

TO: Mayor and Members of the City Council

FROM: Debra Kurita, Interim Community Services Director
Carlos Alvarado, City Engineer

APPROVED

BY:


Arnie Croce, Interim Chief Administrative Officer

SUBJECT: Approve an Appropriations Adjustment applying \$57,482.32 in 2007 General Obligation Bond Proceeds to the Veterans' Memorial Park Playground Resurfacing Project

RECOMMENDATION:

That the City Council consider and approve an Appropriations Adjustment recognizing \$57,482.32 in 2007 General Obligation Bond Proceeds (account no. 50-103) and allocating the funds to Veterans' Memorial Park for playground surface repairs (account no. 50-521-1006-0925).

BACKGROUND AND DISCUSSION:

On April 20, 2011, the City Council considered, approved and authorized the Mayor to execute a \$57,842.32 contract for the installation of the Veterans' Memorial Park Playground Resurfacing Project to Tot Turf, a division of Robertson Industries, Inc. The staff report regarding this agreement noted that the existing playground surface was in extreme disrepair with gaping holes, tears and cracks which posed a potential hazardous condition for park users. The project included the demolition and removal of the dilapidated rubberized playground surface and its replacement with new poured-in-place recycled-content playground surface material. The work on this project began in June and was completed in approximately two weeks. The Notice of Completion was issued on July 29, 2011 and has been recorded.

The staff report regarding this playground resurfacing project stated that a significant portion of the project cost may be eligible for reimbursement by funds from the State of California 2002 Resources Bond Act, otherwise known as Proposition 40. However, as a result of a subsequent audit by the State on the City's use of Proposition 40 funds for other parks projects, this resource is not available for the Veterans' Memorial Park project. Therefore, it is necessary to identify and allocate available City funds that may be appropriately applied to the payment for this project.

To address this issue, staff reviewed the unappropriated balances of funds that may be used for this project. Through this process, it was determined that the Veterans' Memorial Park Playground Resurfacing Project qualifies for payment by either the 2007 General Obligation Bond Proceeds or General Fund Reserves. The 2007 General Obligation Bonds were issued to

generate funding for public, recreational and cultural facilities in the community; therefore, the use of these funds for the resurfacing project is appropriate. The debt service payments for these bonds is paid through the tax assessments on the property owners in the City of Bell, staff is in the process of analyzing the structure of the issuance and determining alternatives for reducing the debt by using the current balance of approximately \$20.6 million in proceeds. Appropriation of bond proceeds to this project would lower that balance by \$57,483.32.

Given the financial condition of the City General Fund, that the City is obligated to pay the vendor for the resurfacing project that has already been completed, and the minimal impact on the balance of bond proceeds it is recommended that the City Council approve the appropriation of a small portion of the remaining balance of these bond proceeds to the payment for the Veterans' Memorial Park project. This will be the final application of the proceeds from the 2007 bond issuance for City projects, the balance of the proceeds can be applied to reducing the debt.

FINANCIAL IMPACT

Currently, there is a balance of \$20,599,094.10 available in the 2007 General Obligation Bond Proceeds. As the bonds were issued for improvements to public facilities, the application of these funds for park improvements is appropriate. The proposed appropriation adjustment will allocate \$57,482.32 in these bond proceeds to the payment for the Veterans' Memorial Park Playground Resurfacing Project which has been completed and was previously approved by the City Council. Upon approval of the proposed appropriation adjustment, the remaining balance of the bond proceeds will be \$20,541,611.78 which can be applied to reducing the debt.

City of Bell
Agenda Report

DATE: October 26, 2011

TO: Honorable Chair and Planning Commission Members

FROM: Carlos M. Chacon, Assistant City Planner

APPROVED
BY:


Arne Croce, Interim Chief Administrative Officer

SUBJECT: CONSIDERATION FOR CONDITIONAL USE PERMIT NO 2011-02 TO ALLOW THE CONSTRUCTION OF A TWO STORY, 5,955 SQUARE FOOT BUILDING TO BE USED AS A PLACE OF WORSHIP AND RELIGIOUS EDUCATION CENTER KNOWN AS THE BELL ISLAMIC CENTER, ON AN EXISTING 22,761 SQUARE FOOT SITE LOCATED AT 5232-5250 GAGE, BELL, CA.

RECOMMENDATION

That the Planning Commission review the application and adopt Planning Commission Resolution No. PC 2011-42 approving the CUP entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2011-02 TO ALLOW THE CONSTRUCTION OF A TWO STORY, 5,955 SQUARE FOOT BUILDING TO BE USED AS A PLACE OF WORSHIP AND RELIGIOUS EDUCATION CENTER KNOWN AS THE BELL ISLAMIC CENTER, ON AN EXISTING 22,761 SQUARE FOOT SITE LOCATED AT 5232-5250 GAGE, BELL, CA.

SUMMARY

The applicant, Bell Islamic Center (the "Applicant"), is requesting that the City of Bell Planning Commission consider the Applicant's request for Conditional Use Permit No. 2011-02 to allow the construction of a two story, 5,955 square foot building to be used as a Place of Worship and religious education known as the Bell Islamic Center, on an existing 22,761 square foot site located at 5232-5250 Gage, Bell, CA pursuant to Bell Municipal Code, Section 17.96.030.16 which governs the uses for which a conditional use permit is required.

BACKGROUND

At the September 28, 2011 City Council Meeting, staff was directed to work with the project applicant to address the issues that the Planning Commission discussed during the meeting.

The issues that were brought forth during the City Council meeting included the following:

- The overall height and massiveness of the building.
- The general location of the building as it relates to the site's shape & size.
- The location of the trash enclosures near the property lines.
- The general design compatibility with the surrounding properties.

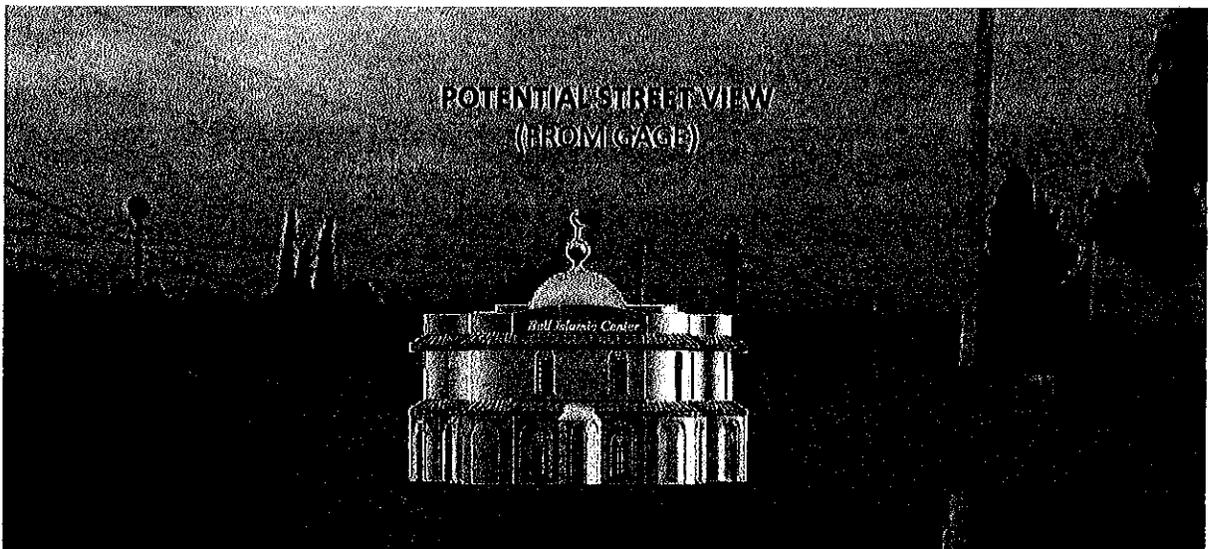
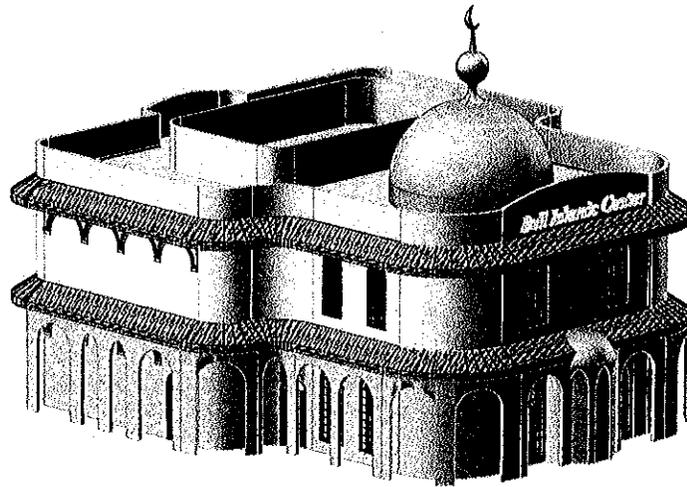
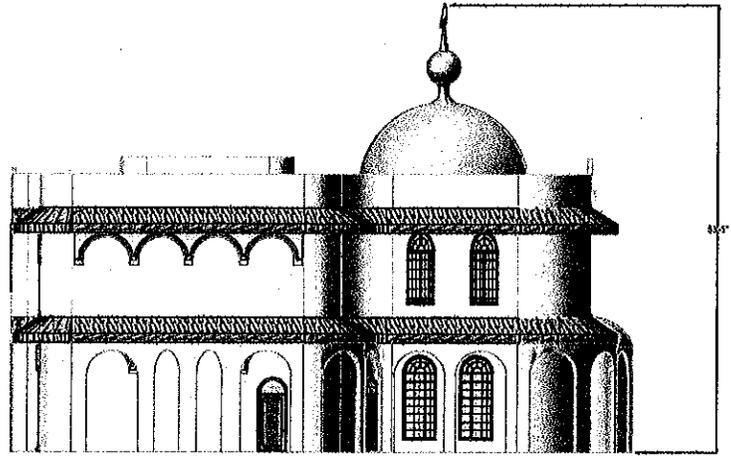
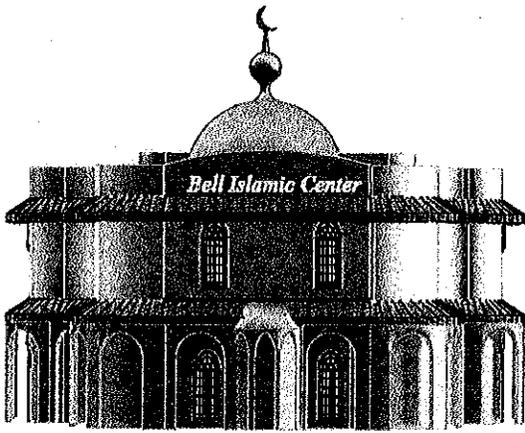
The project architect met with staff on several occasions and was in contact via email to discuss the project parameters. The project designer took a look at the facility and incorporated some design features to address the planning commission issues.

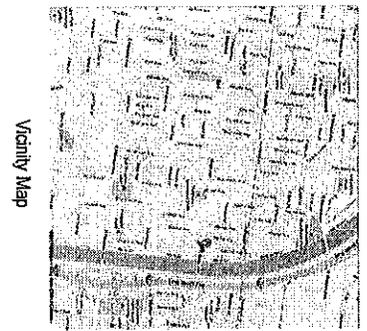
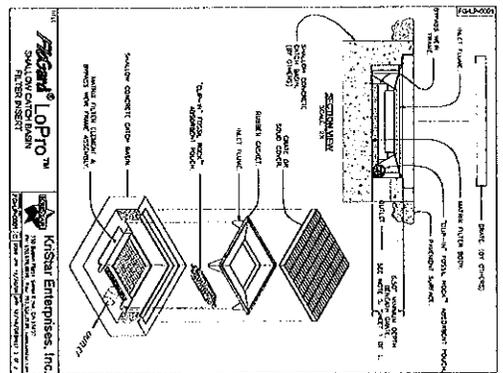
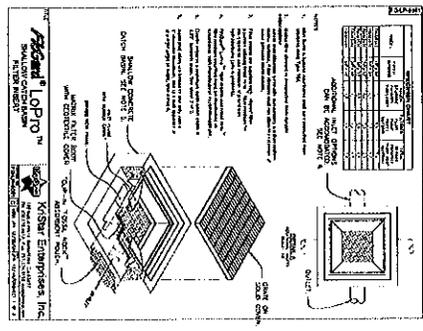
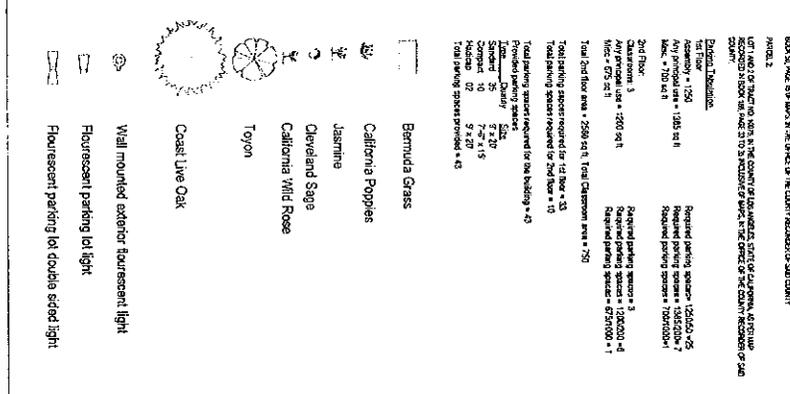
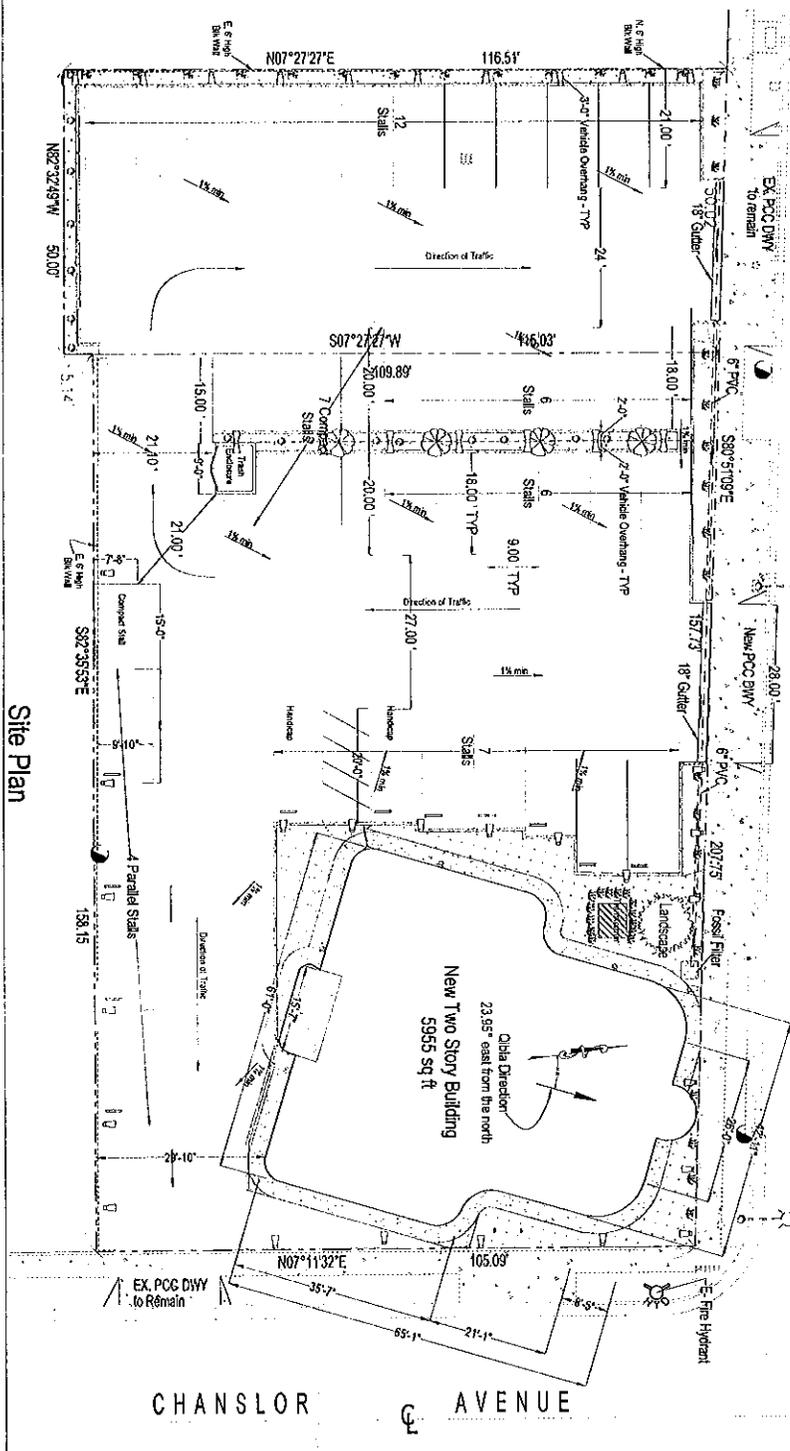
The structure as originally proposed measured 59 feet and 4 inches in height; the building was now reduced to a height of 53 feet and 1 inch. This downsizing of more than 6 feet attributes to the overall reduction of the massiveness of the building.

The structure was modified on the first floor to provide the building with a covered walkway that serves to give the building depth and allows the building to be set back from the property lines. The project designer has also incorporated the use of Spanish tile on the building in attempts to make the building more compatible to the surrounding properties. The color scheme chosen for the building has also been modified to add colors that are more complimentary to the surrounding buildings. The project designer also chose to incorporate two different colors for the first floor and second floor to break up the massiveness of the building.

The trash enclosures were relocated to the middle of the parking lot to mitigate any potential issues that may arise if the enclosure was located on the property line. The applicant has made no change in the location of the building on the site. To relocate the building would impact the ability to provide required parking and impact ingress and egress to the property. Setbacks are not required in this zone. Reorientation of the building would compromise the requirement of the faith that the prayer hall, which makes up more than 50% of the entire building, be oriented 23.95 degrees North.

The staff report on the item from the September 14, 2011 meeting is attached.





Sheet Index:	Description:
A-0	Site Plan & Cover Sheet
A-0.5	Colored Rendering
A-0.75	Site Photos
A-1	1st Floor Plan
A-2	Door & Window Schedules
A-3	2nd Floor Plan
A-3	North & South Elevations
A-4	Exterior Finish Specifications
A-4	East & West Elevations

Scale: 1"=10'
Date: 10/20/2011

www.Hafeez Consulting.com
1451 S. Hacienda St
Anaheim, CA 92804
Project Engineer: Haltham A. Hafeez, P.E.
Tel (714) 225-4566 Fax (714) 776-5648 engineer@hafeezconsulting.com

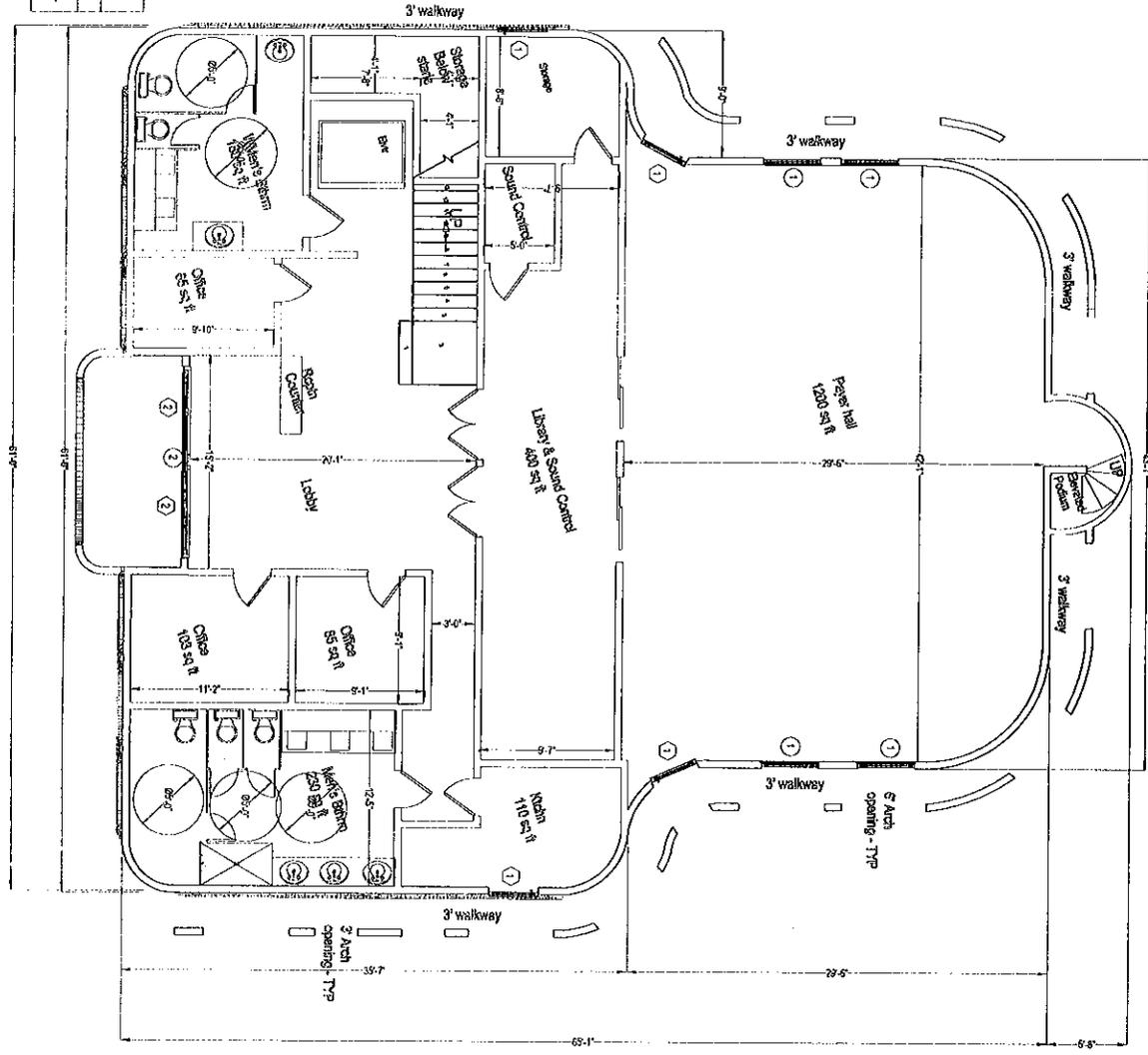
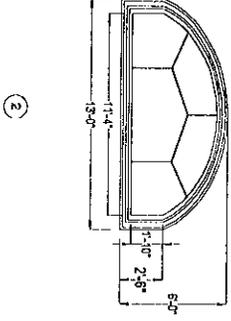
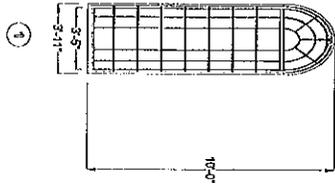
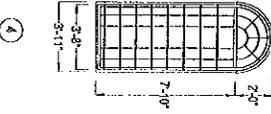


Owner: Bell Islamic Center
Project Address:
5232 Gage Ave.
Bell, CA 90201

Site Plan & Cover Sheet

Window Schedule			
No.	Size (HxW)	Material	Remarks
As shown	As shown	Aluminum	1/2" Insulated Glass
As shown	As shown	Aluminum	1/2" Insulated Glass

Door Schedule			
No.	Size	Material	Remarks
1	As shown	Wood Slat Door	1/2" Insulated Glass
2	As shown	Aluminum	1/2" Insulated Glass



Scale: 1/4" = 1' UNO
Date: 10/20/2011

www.Hafeez-Consulting.com
1451 S Hacienda St
Anaheim, CA 92824
Project Engineer: Halham A. Hafeez, P.E.
Tel (714) 225-4555 Fax (714) 917-2977 engineer@hafeezconsulting.com



Owner: Bell Islamic Center
Project Address:
5232 Gage Ave.
Bell, CA 90201

1st Floor Plan

City of Bell
Agenda Report

DATE: September 28, 2011

TO: Honorable Chair and Planning Commission Members

FROM: Arne Croce, Interim Chief Administrative Officer

BY: Carlos M. Chacon, Assistant City Planner

SUBJECT: CONSIDERATION OF PUBLIC HEARING FOR CONDITIONAL USE PERMIT NO 2011-02 TO ALLOW THE CONSTRUCTION OF A TWO STORY, 5,955 SQUARE FOOT BUILDING TO BE USED AS A PLACE OF WORSHIP AND RELIGIOUS EDUCATION CENTER KNOWN AS THE BELL ISLAMIC CENTER, ON AN EXISTING 22,761 SQUARE FOOT SITE LOCATED AT 5232-5250 GAGE, BELL, CA.

RECOMMENDATION

Staff recommends that the application be reviewed, the public hearing be opened, and that the Planning Commission Adopt Planning Commission Resolution No. PC 2011-42 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2011-02 TO ALLOW THE CONSTRUCTION OF A TWO STORY, 5,955 SQUARE FOOT BUILDING TO BE USED AS A PLACE OF WORSHIP AND RELIGIOUS EDUCATION CENTER KNOWN AS THE BELL ISLAMIC CENTER, ON AN EXISTING 22,761 SQUARE FOOT SITE LOCATED AT 5232-5250 GAGE, BELL, CA.

Alternatively, the Council may: (1) Direct staff to draft an appropriate resolution of denial and continue the item to the next meeting or (2) Continue the item for further discussion.

SUMMARY

The applicant, Bell Islamic Center (the "Applicant"), is requesting that the City of Bell Planning Commission consider the Applicant's request for Conditional Use Permit No. 2011-02 to allow the construction of a two story, 5,955 square foot building to be used as a Place of Worship and religious education known as the Bell Islamic Center, on an existing 22,761 square foot site located at 5232-5250 Gage, bell, ca..

Bell Municipal Code, Section 17.96.030.16 governs the uses for which a conditional use permit is required.

BACKGROUND

The Bell Islamic Center organization acquired the properties located at 5232, 5234, and 5250 Gage Avenue on August 16, 2010. The properties are legally described as Lot 1 of Tract 4620 and Lots 1 & 2 of Tract 10075 which are located on the south west corner of Chanslor and Gage Avenues. The current zoning of the site is known as a C-3R Zone, which was established in order to provide areas within the City where commercial uses and residential uses (subject to a Conditional Use Permit) can be developed.

The Applicant is proposing to construct a new two story 5,955 square foot building to become the Bell Islamic Center providing the city's local community with a place for worship, prayer, counselling, and weekend religious education classes. At any given time during the week there will be 2 staff members per shift to provide access to the facility for patrons to utilize. The proposed schedule of activities occurring on the site on a weekly basis is included in Table 1 below.

Table 1: Proposed Operations for Bell Islamic Center

Days of the Week	Times	Activity	No. of People
Monday – Friday	8:00 a.m. – 7:00 p.m.	Office Hours	2 +
Monday – Friday	4:00 a.m. – 10:00 p.m.	Prayer Available	20,000
Friday	12:00 p.m. – 2:00 p.m.	Main Prayer Service	Max. Capacity
Friday/Saturday	Sunset – 2 hrs. after	Weekly family event	Max. Capacity
Saturday/Sunday	10:00 a.m. – 3:00 p.m.	Weekend School	varies w/enrollment

DESCRIPTION OF PROPERTY AND IMPROVEMENTS

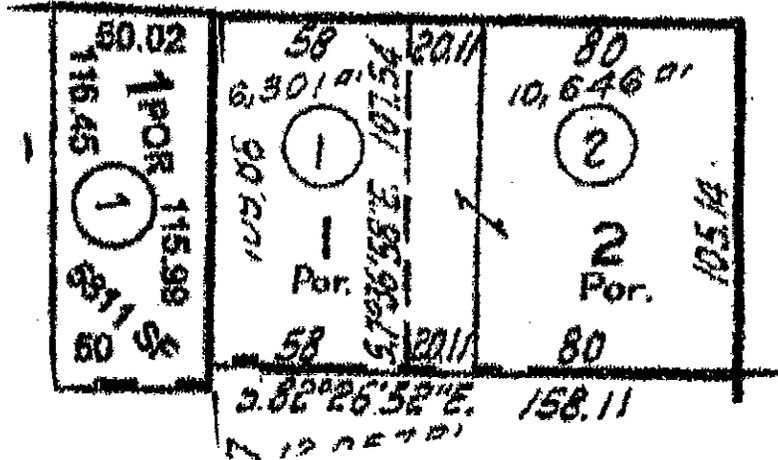
The project site is composed of three parcels on the southwest corner of Gage Avenue and Chanslor Avenue. The site is currently surrounded by commercial uses on the west property line and residential properties on the south property line. The site parcels are recorded as APN 6327-030-001, 6327-032-001, and 6327-032-002 on which three structures exist, one being the site of the previous tenant Ashley Electric Company. The site is relatively flat and has concrete pads sporadically placed throughout the parcels. Before the demolition of and grading phase of the project is conducted, the applicant will provide a waste management plan to verify compliance with the mandated recycling Ordinance 1157 which requires that all projects recycle at least 50% of the total project waste.

The project site has area equal to 22,761 square feet which will include parking facilities that will accommodate 43 vehicles (33 standard stalls, 8 compact stalls and 2 handicap stalls). The parking lot will be improved with landscaping, lighting and new drive way approaches. The percent required for landscaping by the Bell

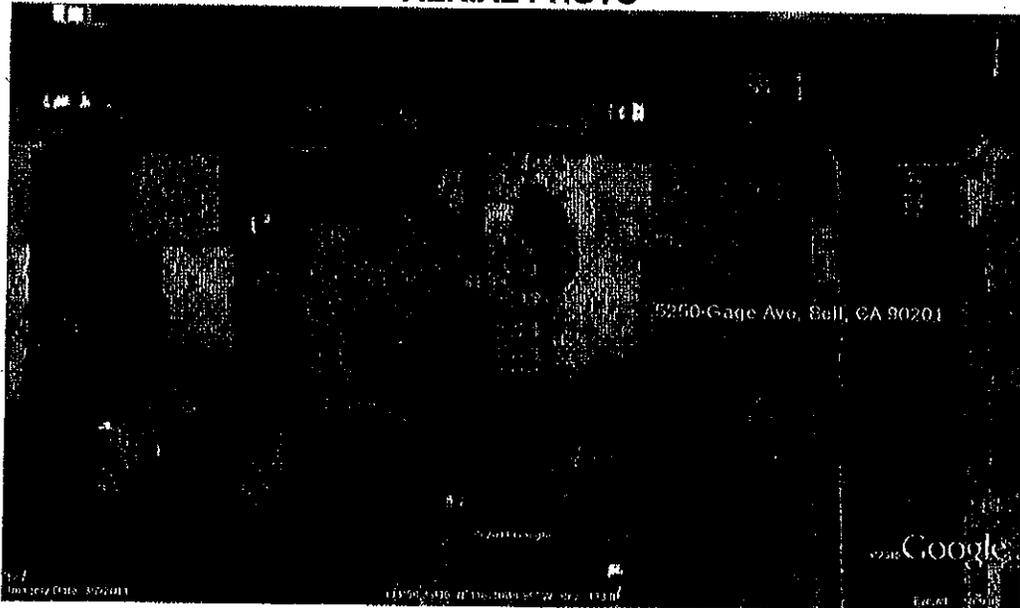
Municipal Code currently stands at 6%. However the applicant has allotted 8% of the lot to be landscaped with Coast Live Oaks trees, Toyon bushes, Bermuda grass and a variety of flower species including but not limited to Cleveland Sage, Jasmine, and California Poppies.

The project site also includes some landscaping near the corner street frontage of Chanslor and Gage Avenues to screen the proposed transformers and trash enclosure. The project site will propose to replace three driveway approaches along Gage Avenue with 2 new driveway approaches and keep the existing driveway approach on Chanslor Avenue. The site will have one ingress and one egress approach on Gage Avenue and one Egress approach on the Chanslor Avenue side.

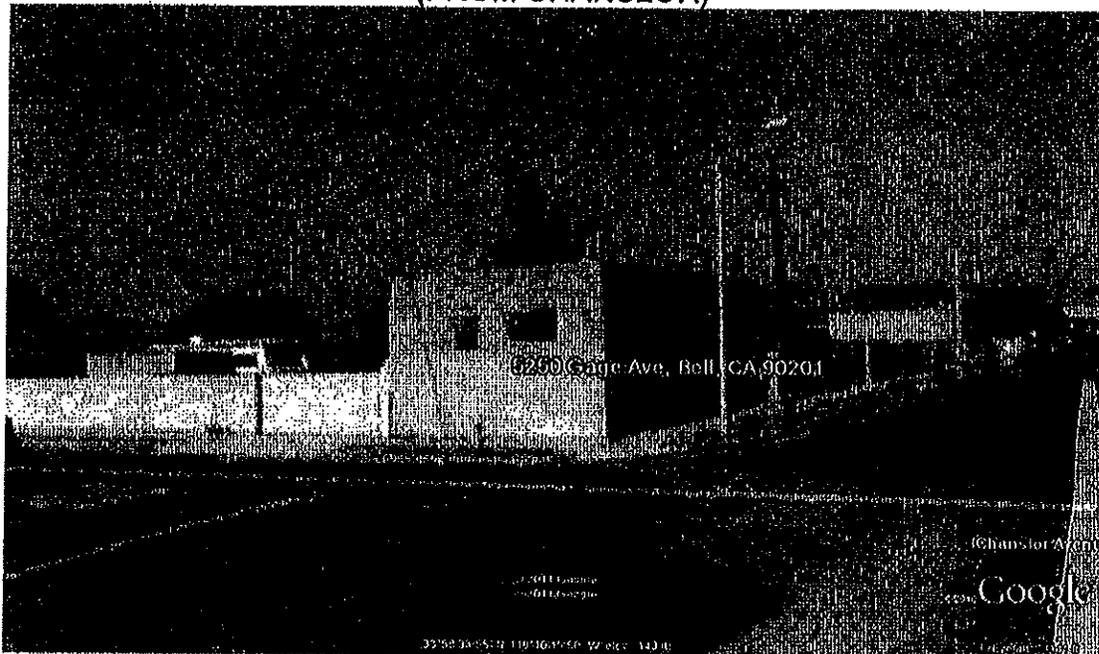
LA COUNTY ASSESSOR'S PARCEL MAP



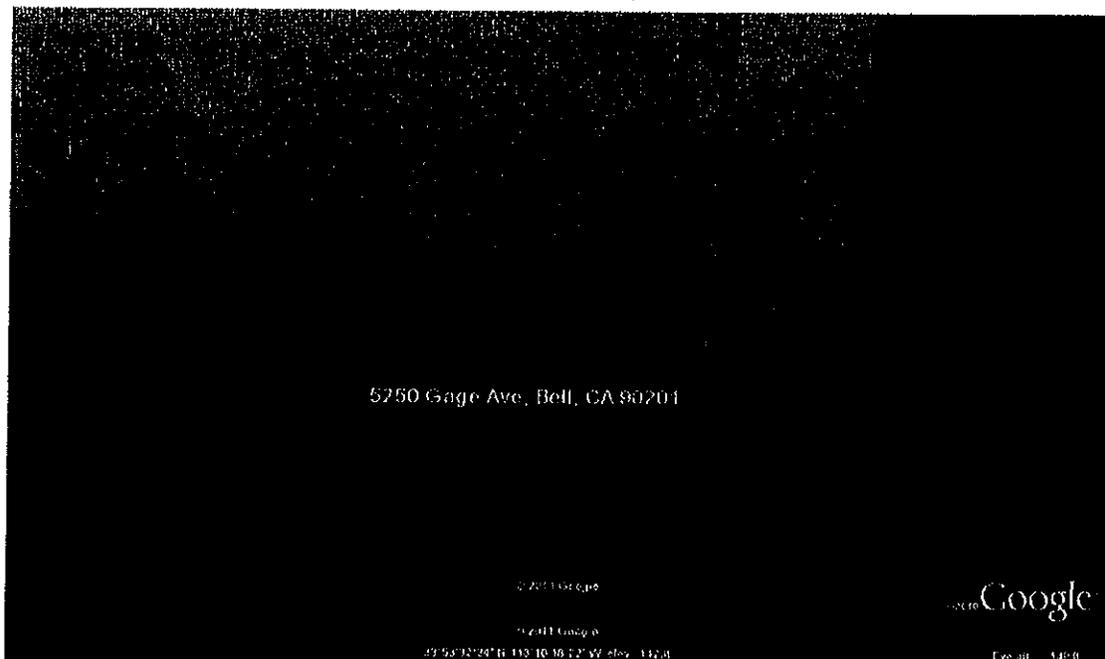
AERIAL PHOTO



STREET VIEW
(FROM CHANSLOR)



STREET VIEW
(FROM GAGE)



A summary of the project site's general land use statistics are as follows:

LAND USE STATISTICS

Total of Area (square feet)	22,761 sq. ft.
New Two Story Building Area (square feet)	5,955 Sq. ft.
Number of Required Parking Stalls	46
Total Number Parking Handicap Spaces	2 stalls
Total Number of Standard Spaces Provided	33 spaces
Total Number of Compact Spaces Provided	8 spaces
Landscaping Percent Required	6%
Landscaping Percent Provided	8%

ARCHITECTURAL REVIEW

The Applicant proposes to construct a two story 5,955 square foot building which will include a main gathering assembly area of 1,250 square feet designated as a prayer hall, a Library and Sound Control Area measuring 400 square feet, 1,016 square feet of office space, a total of 750 square feet divided into 3 class rooms, 1,130 square feet of General use areas including lobby, activity and receptions areas, and 1,649 square feet for 4 bathrooms, and 4 storage areas, including the proposed elevator and stairs. The building has been designed with round corners, arched windows, and a roof mounted golden dome bringing the overall height of the building to 59 feet in height.

The project includes many design elements typically found in customary Islamic architecture. The applicant has chosen to build a golden dome, and a tile mosaic band has been proposed for the exterior wall surrounding the building. Stucco will have a smooth finish and will be incorporated into the arches and columns in the project. The stucco will use three different neutral colors to create accents for different architectural features of the structure. The first floor walls will receive one base color, while the second floor walls will receive a different lighter color. The architectural arches and columns will also be a contrasting stucco color. The tile that is proposed to be located on the building will be placed between the first and second floor and will be a ceramic medallion tile in nature. The unique design feature of the building is the dome and spherical accents that are proposed to be made of fiberglass and painted in a golden hue. The height limit for structures in the C-3R Zone is 70 feet. However, the overall building height including the dome feature of the project does not exceed a height of 60 feet.

PARKING AND CIRCULATION

Bell Municipal Code section 17.76.020 (1)(a) requires one parking space per 200 square feet of gross floor area of a building of less than 5,000 square feet in a C Zone. Additionally, pursuant to section 17.76.020.3, Assembly uses require 1 parking space for every 4 fixed seats. If there are no fixed seats (as is the case with this development), the requirement is one for every 50 square feet of gross floor area devoted to the assembly use. The project as proposed will require a total of 43 parking spaces. The parking tabulation on the site plan shows the required parking spaces per floor area. For the 1,250 square foot assembly area the required number of parking stalls is 1 per 50 square feet of gross floor area devoted to such use. Any principal use will require 1 parking stall for every 200 square feet of gross floor area. Lastly, all other areas that are considered as joint use areas such as storages and non-habitable areas are considered at 1 parking stall per 1,000 square feet of gross floor area.

GENERAL PLAN AND ZONING CONSISTENCY

The City's General Plan Land Use Element designates the subject property for Commercial and Residential use. The proposed use would be consistent with the General Plan and does not conflict with the established goals and objectives of the Land Use Element as noted in the findings below. The project site is within the C-3R Zone. Pursuant to Section 17.96.030 (16) of the Bell Municipal Code, a Place of Worship may be located in any zone, including the C-3R zone, with a valid Conditional Use Permit. The proposed project is also compatible with the surrounding land uses, which are summarized in the chart below.

SURROUNDING LAND USES

Direction	Land Use Designation	Use
North	C-3R	Commercial Mixed Use
South	R-3	Multi-Family Residential Use
East	C-3R	Commercial Mixed Use
West	C-3R	Commercial Mixed Use

PUBLIC NOTICE

In conformance with applicable law, staff sent out notices to all the surrounding property owners within 300 feet of the project location. A total of 57 owners were notified of the proposed application and project proposal. The notices were also posted at three specific sites and were published on September 8, 2011 in a newspaper of general circulation.

ENVIRONMENTAL REVIEW

Staff has reviewed the Conditional Use Permit application and determined that the proposed project will require the adoption of a Negative Declaration in accordance with the California Environmental Quality Act, CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; declaring that adoption of the project will not have an adverse effect upon the environment. Consequently, the staff has prepared a Notice of Determination.

FINDINGS OF FACT

The Applicant has submitted responses to the required findings pursuant to Chapter 17.96.040 of the Bell Zoning Code. Staff notes that the following circumstances are applicable to the subject site:

1. The site for the proposed use is adequate in size, shape and topography to accommodate the proposed use. The site is adequate in size in that it is able to accommodate the required number of parking spaces for the intended use. Furthermore the site fulfills the General Plan's land use policy 9 which provides incentives for the consolidation of lots, such as this project is proposing.
2. The subject site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use. The subject site is located on Gage Avenue which is a major arterial street that can handle the current and future generated traffic for the existing facility. The site has been designed to have three driveways to allow for sufficient ingress and egress from the property. Furthermore, the site is located on the most southerly portion of Gage Avenue which has a substantially less amount of traffic versus if the property was located on the main thoroughfare. Therefore the traffic impact will be less than significant.

3. The new buildings and structures will remain architecturally compatible with existing and prospective uses of land located in the immediate vicinity of the site. Specifically, the proposed new Building and facility will encourage a high level of quality in construction and site design features including using standard materials for the exterior of the building as reflected in the land use policy 4 of the Bell General Plan. The colors of the exterior have been designed with earth tones to blend with the surrounding properties.
4. The location of the proposed use on the site is compatible with existing and proposed uses along the commercial corridor along Gage Avenue. Places of Worship are permitted in the C-3R Zone, subject to receiving approval of a Conditional use Permit, and are compatible with the commercial mixed uses including the existing churches/places of worship currently located along in the C-3R Zones around the city and surrounding the project site.
5. The conduct of the proposed use is in compliance with the applicable provisions of the General Plan of the City of Bell. The proposed use will be promoting cultural solidity through the provision the property's rehabilitation and of additional services to Bell residents desiring to attend an Islamic place of worship as stated in policy 11 of the General Plan.

CONDITIONS OF APPROVAL

If the Conditional Use permit is granted, Staff recommends that the following conditions be attached to the Conditional Use Permit:

1. The property shall be maintained in accordance with:
 - A. The Application and Exhibits thereto ("A" through "D") attached to this Agenda Report, and on file in the office of the Clerk of the City of Bell; and
 - B. All applicable laws, including, but not limited to, Bell Municipal Code and the Bell Zoning Code, specifically Chapter 17, as the same may be amended from time to time; and
 - C. All of the conditions of approval as set forth in this Conditional Use Permit No. 2011-02.
2. The Bell Islamic Center is the sole holder of this entitlement.
3. The Bell Islamic Center will be allowed to construct the 5,955 square foot building with a valid conditional use permit (CUP No. 2011-02), and any approvals that

may be required by other entities having jurisdiction over the construction of the building including but limited to public utility providers and fire department.

4. This Conditional Use Permit is subject to annual review by the appropriate City of Bell Department, including but not limited to Police, Building and Safety, Planning, Public Works, Finance, CAO.
5. Any violation of any of the conditions of approval may subject the Conditional Use Permit to the revocation procedures established by Bell Municipal Code Section 17.96.170. Upon recommendation of the Chief Administrative Officer or designee, the body which originally granted the Conditional Use Permit shall conduct a noticed public hearing to determine whether such permit should be revoked.
6. Any additional (i) substantial modification to a building or structure located on the property, or (ii) intensification of use so as to make the parking inadequate, as determined by the Chief Administrative Officer or designee, shall be referred to the Planning Commission for review and approval.
7. Prior to the issuance of building permits the applicant will submit two sets of plans to the department of building and safety for plan check review and shall obtain approval of such plans by all agencies pertinent to the project proposal.
8. The Applicant shall also be responsible for paying any required City fees and fees from other associated agencies prior to the issuance of a building, grading, demolition or encroachment permits.
9. The applicant shall observe all city ordinances during the construction of the site, specifically Chapter 8.28 as it pertains to noise nuisances. Additionally, the City will require that the applicant comply with construction equipment that has adequate noise reduction devices (i.e.: mufflers) and they are properly tuned to minimize noise pollution to the surrounding properties.
10. All textures, materials, and colors utilized on exterior elevations of the building are subject to review by the City of Bell Architectural Review Board.
11. Before the issuance of any permits for this project, that the applicant shall consolidate the lots with parcel numbers 6327-030-001, 6327-032-001 and 6327-032-002 to be held as one by filing a lot merger application with the City Engineer's Office
12. All exterior building surfaces, including but not limited to doors and windows shall be properly cleaned and maintained at all times, and

13. Any graffiti placed on any building or structure located on the property shall be removed promptly after its placement. Failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work.
14. No vehicles (commercial or otherwise) shall be:
- a. Parked on the property except in marked parking spaces; and
 - b. Parked on the property unless owned and operated by patrons and/or employees of the building; or
 - c. Parked overnight.
15. The Applicant guarantees that there will be no deviation from the approved minimum number of parking spaces, including reserved parking, compact parking, loading spaces, car and vanpool parking and any other ancillary forms of parking provided, and that the project will at all times conform to the parking plan indicated in Exhibit "A" - "Site Plan".
16. The Applicant agrees to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care and replacement of all shrubbery, plantings, and other landscaping in a healthy condition; and (iii) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving, at all times be kept in a level and smooth condition.
17. The Applicant shall remove and replace all offsite improvements including but not limited to all driveway approaches, full width sidewalks, curb and gutter, and new handicap ramps along both street frontages (Gage and Chanslor Avenues). Plan shall be submitted for review and approval by the City Engineer.
18. The proposed project shall comply with the provisions outlined in the National Pollution Discharge Elimination System (NPDES).

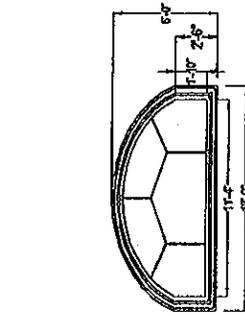
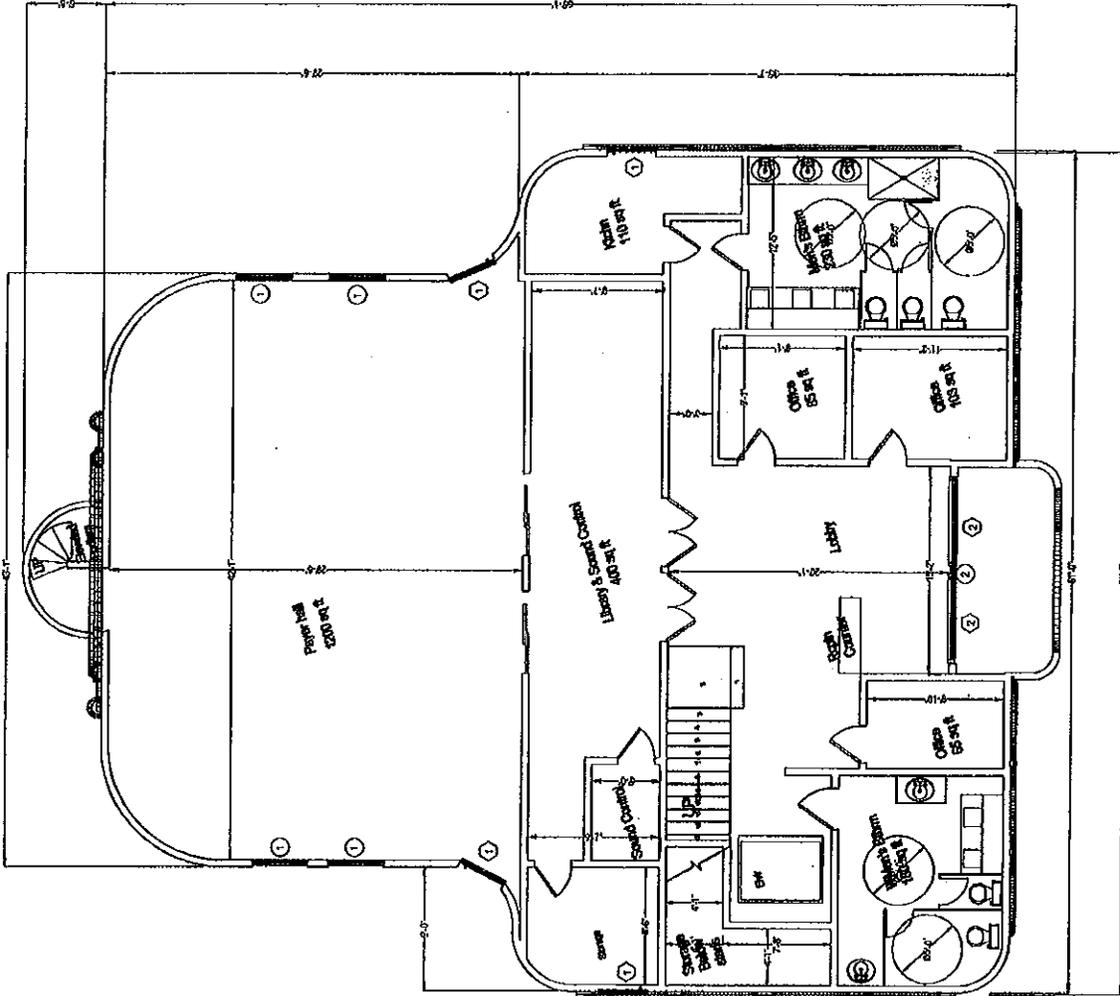
19. Clarifiers or filters shall be placed at strategic locations in the parking area to prevent illicit discharge of substances into storm drains.
20. The Applicant agrees to maintain proper security lighting on the property that promotes a secure and safe environment. Prior to the installation of any new exterior lighting, a lighting plan shall be submitted for review and approval by the City's Police Chief and the Planning and Building Department. Any new and existing exterior lighting shall be fully shielded to ensure no glare will be emitted to the surrounding properties.
21. The Applicant agrees that all new improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2010 California Building Code.
22. The cost of any required inspections shall be the responsibility of the Applicant and, when requested by the Applicant, shall be requested 48 hours in advance.
23. All activities related to the business shall be conducted inside of the proposed structure.
24. Adequate security fencing shall be installed before construction begins.
25. No storage shall occur on the premises outside of the building storage area.
26. The applicant and each of his agents, contractors, and subcontractors engaged in construction activities on the property shall obtain proper permits, business licenses, and contractor's licenses from the City of Bell.
27. Before the demolition of and grading phase of the project is conducted, the applicant will provide a waste management plan to verify compliance of the mandated recycling ordinance 1157 which requires that all projects recycle at least 50% of the total project waste.
28. Any work shall be performed in accordance with the requirements of the *Standard Specifications for Public Works Construction*, 2010 edition, and any supplements or amendments thereto.

29. Any public improvements damaged as a result of construction activities on the site shall be removed and replaced in accordance with City Standards
30. The Applicant agrees that any subsequent tenant improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2010 California Building Code.
31. There shall be no public telephones located on the property except within an enclosed building. The term "building," as used herein, shall not include telephone booths.
32. All trash enclosures shall be maintained in accordance with the standards of the City and shall be architecturally compatible with principal structures and shall be located in a manner that will not impede vehicular motion on the property and shall be properly screened with department approved materials including but not limited to landscaping, shrubs, trees and or vines.
33. Any additional signage shall require that a signage plan be submitted separately and approved by the Architectural Review Board, pursuant to the provisions outlined in the Bell Zoning Code.
34. The Applicant or an authorized representative shall execute an Affidavit indicating that he/she is aware of all of the terms of this Conditional Use Permit, and accepts all the conditions imposed by this Conditional Use Permit.
35. The applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office and that copies of said licenses and certifications shall be maintained on file with the City of Bell.
36. The Applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the applicant of any such claim, action or proceeding against the City of bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell.

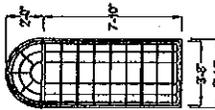
Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

Attachments

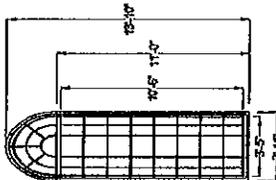
- Exhibits:
- "A" – Floor Plan, Site Plan, Elevations, and Renderings
 - "B" – Environmental Notice of Determination & Negative Declaration
 - "C" – Conditional Use Permit Application
 - "D" - Radius Map



②



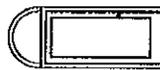
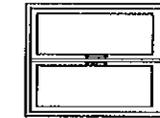
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①



③

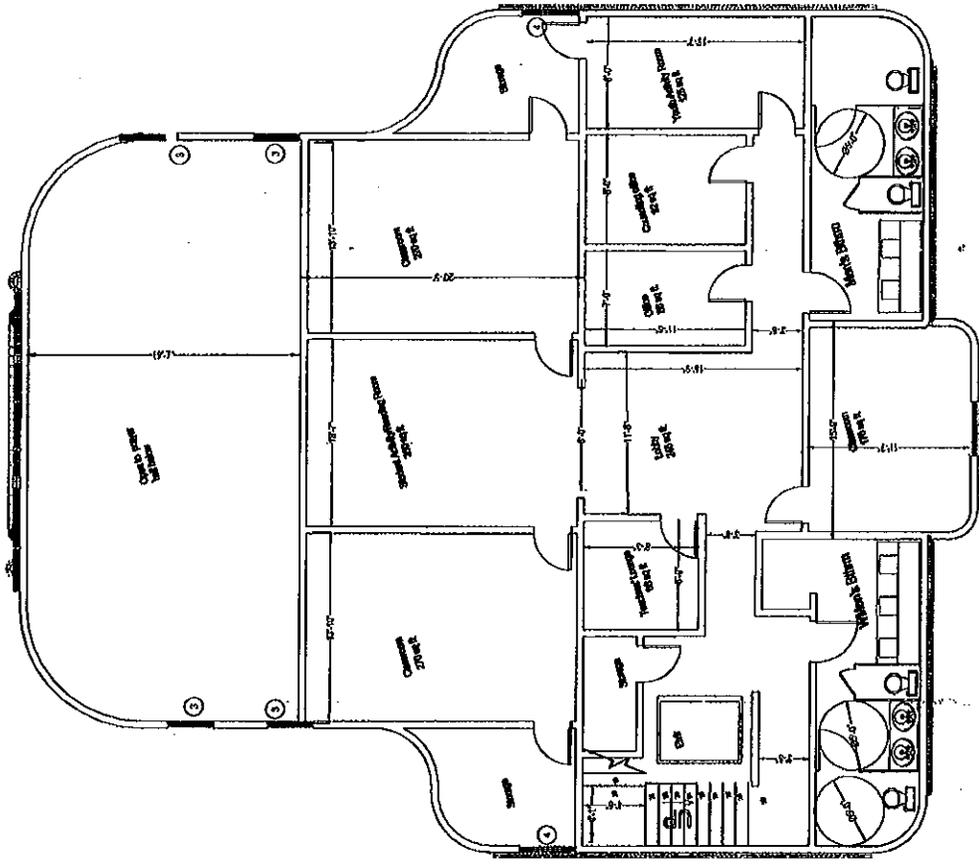


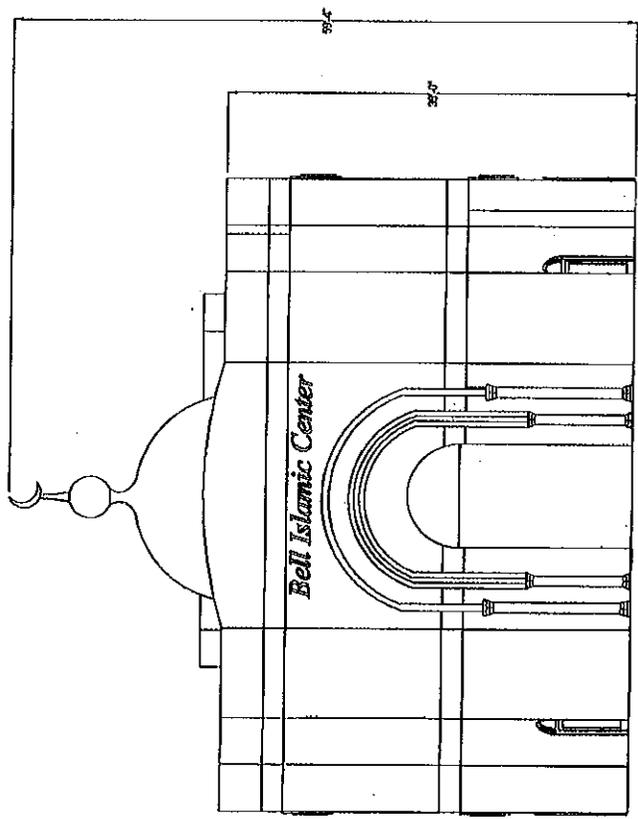
Window Schedule				Door Schedule			
No.	Size (WxH)	Material	Comments	No.	Size	Material	Comments
1	As shown	Vinyl Frame/Insulated Glass	View into prayer area only. No tinting.	1	As shown	Wood Solid Core	View into prayer area only. No tinting.
2	As shown	As shown	View into prayer area only. No tinting.	2	As shown	Wood Solid Core	View into prayer area only. No tinting.

Window Schedule				Door Schedule			
No.	Size (WxH)	Material	Comments	No.	Size	Material	Comments
1	As shown	Vinyl Frame/Insulated Glass	View into prayer area only. No tinting.	1	As shown	Wood Solid Core	View into prayer area only. No tinting.
2	As shown	As shown	View into prayer area only. No tinting.	2	As shown	Wood Solid Core	View into prayer area only. No tinting.



For Door and Window Schedule see Sheet A-1

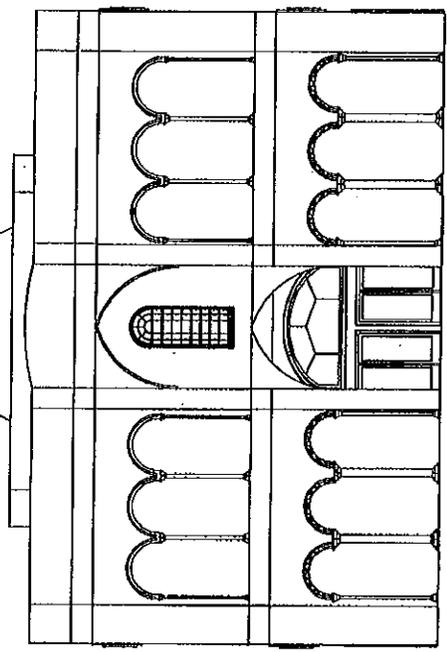




North Elevation Scale 3/16" = 1'

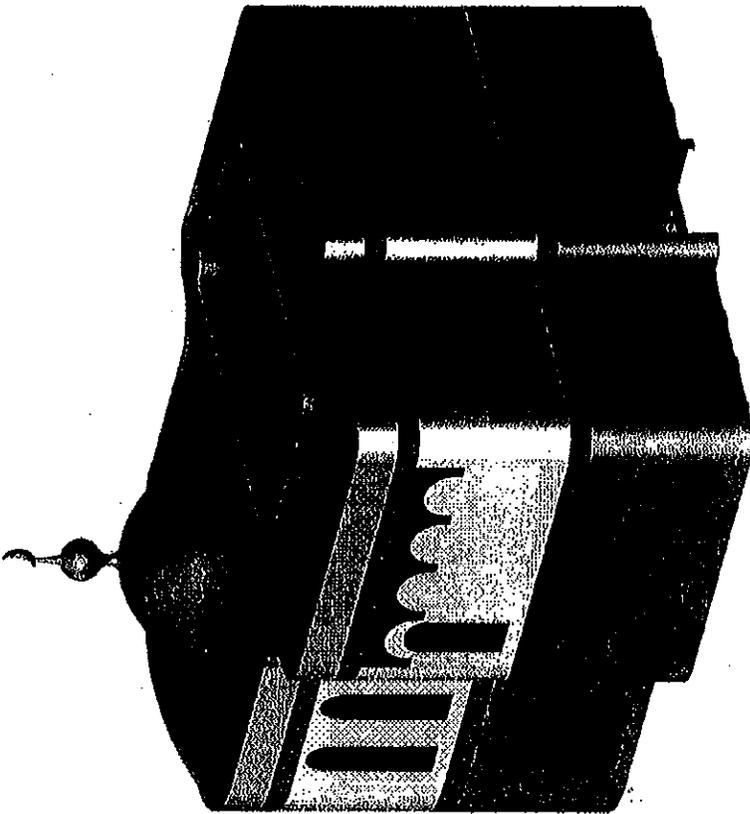
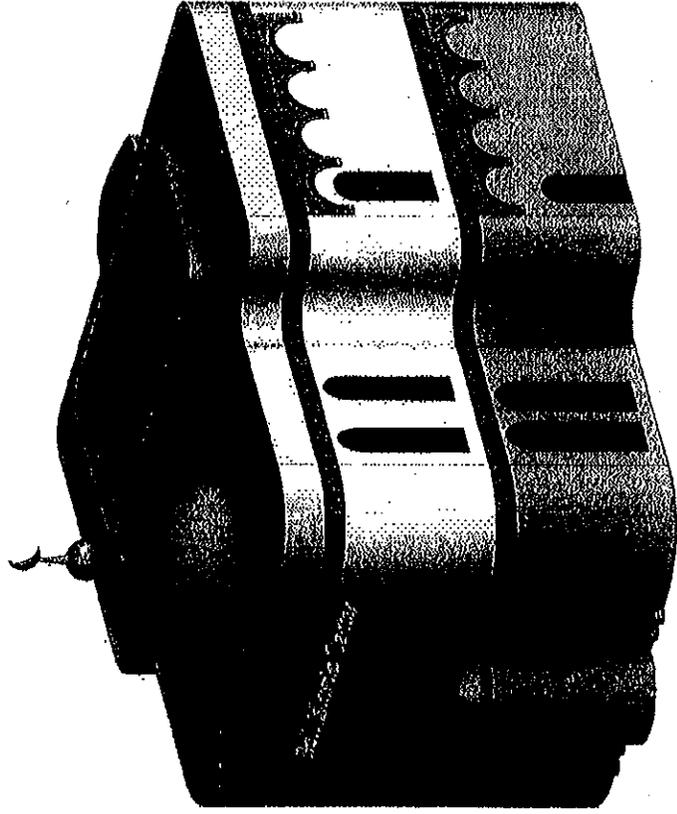
Exterior Finishes:

- First floor walls:
 - Material: Stucco
 - Finish: Smooth
 - Color: Misty
 - Color number: XX-17 Misty
 - Product Code: SSMF Base (200)
 - Manufacturer: La Habra Stucco
- Second floor walls:
 - Material: Stucco
 - Finish: Smooth
 - Color: Fallbrook
 - Color number: XXX-434 Fallbrook
 - Product Code: SSMF Base (200)
 - Manufacturer: La Habra Stucco
- Dome & Spherical Surfaces:
 - Material: Fiberglass
 - Color: Gold
 - Color code: PPG Gold
 - Manufacturer: Fiberglass Specialties, Inc.
- Architectural Arches and Columns:
 - Material: Stucco
 - Finish: Smooth
 - Color: Misty
 - Color Code: XX-17 Misty
 - Manufacturer: La Habra Stucco
- Separation between floors:
 - Material: Ceramic Medallion Tile



South Elevation Scale 3/16" = 1'





NOTICE OF DETERMINATION

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: City of Bell
6330 Pine Avenue
Bell, CA 90201

County Clerk
County of Los Angeles
12400 Imperial Highway
Norwalk, CA 90650

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code

PROJECT TITLE: Conditional Use Permit No. 2011-02

STATE CLEARINGHOUSE NUMBER (If submitted to State Clearinghouse): N/A

CONTACT PERSON: Carlos Chacon, Assistant City Planner
323.588.6211

PROJECT LOCATION: 5232-5250 Gage Avenue
Bell, CA 90201

PROJECT DESCRIPTION: Proposed two story, 5,955 square foot Temple/Worship Building with surface parking to be utilized as the Bell Islamic Center.

This is to advise that the City of Bell Planning Commission has approved the above described project on September 28, 2011 and has made the following determination regarding the above described project:

1. The project will have a significant effect on the environment.
 will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were , were not, made a condition of the approval of the project.
4. A statement of Overriding Considerations was, was not, adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at: N/A

Date Received for filing and posting at OPR: N/A

Carlos M. Chacon, 
Signature (Public Agency)

Assistant City Planner
Title

**ENVIRONMENTAL QUALITY ACT
NEGATIVE DECLARATION**

APPLICANT: Bell Islamic Center
335 N. Brookhurst Street
Anaheim, CA 92801

PROJECT ADDRESS: 5232-5250 Gage Avenue, Bell, CA 90201

TYPE OF PERMIT: Conditional Use Permit

FILE No.: CUP 2011-02

DESCRIPTION OF PROPOSED PROJECT:

Consideration of Conditional Use Permit No. 2011-02 to allow the construction of a two story, 5,955 square foot building to be used as a Temple/ Place of Worship and religious education known as the Bell Islamic Center, on an existing 22,761 square foot site located at 5232-5250 Gage Ave, Bell, CA.

I declare that I have examined the plans for the above captioned project as submitted by the applicant, and on the basis of the "Assessment of Environmental Impact Questionnaire" on file in my office as a public document, it is my opinion that this project will have no significant impact upon the environment within the meaning of the Environmental Quality Act of 1970.

Dated: 9/8/11

Signature: 

CARLOS CHACON, ASSISTANT CITY PLANNER
Director of Planning
City of Bell

ANY PERSON MAY FILE PROTEST TO THE NEGATIVE DECLARATION WITH THE PLANNING DEPARTMENT PRIOR TO THE ISSUANCE OF THE PERMIT OR APPROVAL OF THE PROJECT. THE PROTEST MUST BE IN WRITING AND MUST STATE THE ENVIRONMENTAL FACTORS ON WHICH THE PROTEST IS BASED ON ONE OR MORE SIGNIFICANT ENVIRONMENTAL FACTORS NOT PREVIOUSLY CONSIDERED OR WHICH, IN THE OPINION OF THE REVIEWER, SHOULD BE RECONSIDERED, AND WHICH MAY HAVE A SUBSTANTIAL ADVERSE EFFECT ON THE ENVIRONMENT, THE PERMIT SHALL BE SUSPENDED AND AN EIR SHALL BE PROCESSED. THE DECISION OF THE REVIEWER SHALL BE FINAL. COPIES OF THE NEGATIVE DECLARATION MAY BE OBTAINED FOR ONE DOLLAR (\$1.00) (PRICE BASED ON COST OF REPRODUCTION).

POSTED ON: 9/8/11

CITY OF BELL ENVIRONMENTAL CHECKLIST FORM INITIAL STUDY

PURSUANT TO GUIDELINES FOR CALIFORNIA ENVIRONMENTAL QUALITY ACT §15063 (F), THIS FORM, ALONG WITH THE ENVIRONMENTAL INFORMATION FORM COMPLETED BY THE APPLICANT, MEETS THE REQUIREMENTS FOR AN INITIAL STUDY.

This form is comprised of five parts:

- Part 1 Background
- Part 2 Summary of Environmental Factors Potentially Affected
- Part 3 Determinations
- Part 4 Evaluations of Environmental Impacts
- Part 5 Discussions of Environmental Impacts

BACKGROUND

1. **City Project Number:** Conditional Use Permit No.2011-02
2. **Project Address/Location:** 5232-5250 Gage Avenue, City of Bell,
County of Los Angeles, California, 90201
3. **Date of Environmental Information Form submittal:** August 30, 2011
4. **Applicant:** Haithem Hafeez
Firm Name: Bell Islamic Center
Address: 335 N. Brookhurst St
City/State/Zip: Anaheim, CA 92801
Phone: (714) 491- 2556
5. **Lead Agency:** City of Bell
Contact: Carlos M. Chacon, Assistant City Planner
Address: 6330 Pine Avenue
City/State/Zip: Bell, California, 90201
Phone: (323) 588-6211
Fax: (323) 771-9473

6. General Plan Designation: Commercial Mixed Use

7. Zoning: C-3R

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)

This project proposes to build 5,955 square feet Temple/Place of Worship and religious education.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)
commercial to the north. Commercial to the east.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement). n/a

11. List City of Bell related applications for this project that must be processed simultaneously: n/a

12. List prior projects for this parcel: n/a

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The following Initial Study indicates that the project may result in potential environmental impacts in the following marked categories:

Aesthetics	Agricultural Resources	Air Quality	
Biological Resources	Cultural Resources	Geology/Soils	
Hazards/Hazardous Materials	Hydrology/Water Quality	Land Use/Planning	
Mineral Resources	Noise	Population/Housing	
Public Services	Recreation	Transportation/Traffic	
Utilities & Service Systems	Mandatory Findings of Significance		

ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION has been prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Director of Planning

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

INITIAL STUDY

A. INITIAL STUDY CHECKLIST

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact

1. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

2. AGRICULTURE RESOURCES (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X

3. AIR QUALITY – (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

4. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

5. CULTURAL RESOURCES -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact

6. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Div. of Mines and Geology Special Pub. 42.)				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

7. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

8. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

9. LAND USE AND PLANNING -- Would the project:

a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

10. MINERAL RESOURCES -- Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

11. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

12. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

13. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

14. RECREATION:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

15. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

16. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

17. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
--	--	--	--	---

IMPACT CATEGORY	Potentially Significant Impact	Less than Significant w/Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

B. EXPLANATIONS OF CHECKLIST RESPONSES:

1. **Aesthetics:** The site will be improved with a New 5,955 square foot building whose overall height will be 59 feet. The maximum height allowed for any structure within this zone is 70 feet.
2. **Agricultural Resources:** There are no agricultural resources on the site and therefore no significant impacts.
3. **Air Quality:** The project parameters are minimal. This traffic is not substantial and not expected to have a significant impact on air quality.
4. **Biological Resources:** All proposed improvements are to be built within the existing site. There are no natural habitat areas in the vicinity of the site that would be negatively impacted by the lighting. In addition, due to the limited hours of operation of the project (10:00 p.m. shutoff time) and use of current technology in glare control and light shielding, no biological resource significant impacts are envisioned.
5. **Cultural Resources:** The project will not disturb paleontological or archaeological resources, have the potential to cause physical change to which would affect unique ethnical cultural values, or restrict existing religious or sacred uses. Therefore, there will be no impact on cultural resources.
6. **Geology and Soils:** The project is located in Southern California, an active seismic region. There are two active faults, the Newport-Inglewood Fault and the Whittier Fault. Even though the project site is subject to seismic activity, the project does not have a higher risk of ground shaking than currently exists. In order to reduce potential impacts, all structural design components shall meet Office of the State Architect and 2010 California Building Code standards.
7. **Hazards and Hazardous Materials:** The project parameters will not create significant incidents of hazards or hazardous materials. Any hazardous materials found will be appropriately handled per Los Angeles County Fire Department requirements.
8. **Hydrology and Water Quality:** The project parameters will not change or modify drainage discharge patterns, ground water, or water quality. Therefore, no significant impacts are anticipated.

9. Land Use and Planning: The project improvements are consistent with the City General Plan and land use standards and design guidelines.
10. Mineral Resources: There are no known mineral resources on site therefore there are no significant impacts.
11. Noise: The project as proposed is for a place of worship, religious counseling and prayer facility whose activities are periodic throughout the week but will be conducted strictly indoors. This project will increase noise beyond current use due to the fact that the site has been vacant for a long period of times. However, the noise created as a result of the project will not exceed the current allowed decibel threshold of 65dB. However, during the construction process, there will be short term noise impacts to the adjacent residential properties. This will be mitigated through the City's established noise ordinance, BMC code section 8.28.040, which stipulates that no noise may be created within 50 feet or more from the building during the hours of 10 PM to 7AM. Additionally, the City will require mufflers and proper tuning of construction equipment. Violations will be managed by the City of Bell Police Department and the City of Bell Chief Administrators Office. The City of Bell will oversee all construction activities at the project site.
12. Population and Housing: The project will not impact or increase population growth. Therefore, no significant impacts are anticipated.
13. Public Services: The project will not have any significant impact on public services.
14. Recreation: The project will not have any impact on existing recreational facilities.
15. Transportation: The hours of operation for the new Bell Islamic Center are fairly periodic where the establishment is open to patrons every day of the week for prayer. The primary gathering day for the Center will be on Fridays in the afternoon. Therefore, a minimal increase in vehicle trips is expected to and from the facility. This traffic is not substantial and not expected to impact street capacities. Parking improvements are to be made on the site including new driveway approaches where the site will have two ingress and three egress methods on site.
16. Utilities and Service Systems: Southern California Edison Company electrical services already exist and no significant impacts will be associated with the project.
17. Mandatory findings of Significance: The scope of the project is such that impacts related to degradation of the quality of the environment and cumulative impacts, from this project in addition to planned or potential future projects, are considered to be less than significant. Currently, there are no projects within the vicinity that will create a negative impact on the site or the street traffic along Gage and or Chanslor Avenues.



CITY OF BELL

CONDITIONAL USE PERMIT APPLICATION

(Note: Obtain instructions as to the preparation of maps and other information required for this application from the Planning Department before filing this petition)

REF NO. (CUP 2011-02) CASE # 128853

PLANNING COMMITTEE,
CITY OF BELL, CALIFORNIA

The applicant **Bell Islamic Center** is the owner of the property situated at:
5232, 5234 & 5250 Gage Ave between Walker Ave and Chanslor Ave.

Exact legal description of the said property:

Parcel 1: Lot 1 of Tract No. 4620, in the County of Los Angeles, State of California, as per map recorded in Book 50, Page 15 of Maps, in the office of the County Recorder of said County

Parcel 2: Lot 1 and 2 of Tract No. 10075, in the County of Los Angeles, State of California, as per map recorded in Book 186, Page 33 to 35 inclusive of Maps, in the office of the County Recorder of said County.

- A. Above described property was acquired by applicant on August 16, 2010
- B. What original deed restrictions concerning type of improvements permitted, if any, were placed on the property involved? Give date said restrictions expire. **NONE**
- C. REQUEST; The applicant requests that a Conditional Use Permit be granted to use the above described property for the following purposes:
 1. PROPOSED USE: **Temple/Place of Worship and Religious Education**
 2. PRESENT ZONING: **C-3R**
 3. NATURE OF BUSINESS: **Temple/ Place of worship and Religious Education**

(Use this space ONLY to state exactly what is intended to be done on or with the property which does not conform with existing zoning regulations. If a building is involved, a sketch or plan to scale with photographic or other suitable description should accompany this application)

PROPERTY OWNER'S AFFIDAVIT

COUNTY OF LOS ANGELES)

STATE OF CALIFORNIA)

SS.

authorized signat

I Bell Islamic Center Being duly sworn depose and say that I am an owner of property involved in this petition and that the foregoing statements and answers herein contained and the information herewith-submitted are in all respects true and correct to the best of my knowledge and belief.

Signed *[Signature]* Thomas ALKAM

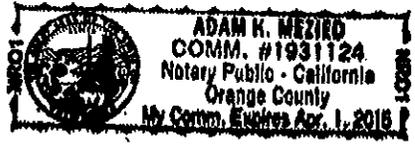
355 N. Brookhurst Street
Mailing Address

Phone Number (714) 491-2556

Anaheim CA 92801
City /State Zip

Subscribed and sworn to before me this 23rd day of June, 19-2011

[Signature]
Notary Public



CITY OF BELL

PLANNING COMMISSION

Note: The Code requires that the conditions set forth in the following three Sections 1, 2, 3 below MUST be established before a Conditional Use Permit can be granted. (Explain in detail wherein your case conforms to the following requirements.)

- I. THAT THE SITE FOR THIS PROPOSED USE IS ADEQUATE IN SIZE AND SHAPE AND TOPOGRAPHY: (EXPLAIN)
 - a. Size: the site area, width, depth and yards comply with the requirements of zone C-3R Development Standards as outlined in Chapter 17.28, section 17.28.040 of the City of Bell Zoning Code.
 - b. Shape & Topography: The site is rectangular and flat which make it adequate for the proposed use.

- II. THAT THE SITE HAS SUFFICIENT ACCESS TO STREET AND HIGHWAY, ADEQUATE WIDTH AND PAVEMENT TYPE TO CARRY THE QUANTITY AND QUALITY OF TRAFFIC GENERATED BY THE PROPOSED USE:
 - a. The site is a corner lot and has access to both corner streets via two driveways.
 - b. Highways: Direct access to I-5 via Gage Ave and to I-710 via Chanslor Ave to Florence Ave.
 - c. Pavement type: Site pavement will designed to meet current applicable standards for the intended use.

- III. THAT THE PROPOSED USE WILL NOT HAVE AN ADVERSE EFFECT UPON ADJACENT PROPERTIES:
 - a. The proposed the use will convert an abandoned land into a community service type of facility which will add value to the adjacent properties.
 - b. Noise: No adverse noise effect as Bell Islamic Center functions will primarily be indoor
 - c. Parking: No adverse effect as the proposed project includes adequate parking spaces that meet the municipal code requirements.

ENVIRONMENTAL INFORMATION

(To be completed by applicant.)

Date filed: 6/23/11

Project Permit Number: CUP 2011-02

Subject Site Zone: C-3R

GENERAL INFORMATION:

1. Name, address, and telephone number of developer or project sponsor:
 - a. Bell Islamic Center
2. Name, address, and telephone number of person to be contacted concerning this project if different from above:
 - a. Haitham A. Hafeez, 1451 S. Hacienda St, Anaheim Ca 92804
 - b. (714) 225-4565 ~~★~~
3. Address of project: 5232, 5234 & 5250 Gage Ave
Assessor's Block and Lot Number: Lot 1 of Tract 4620, Lots 1 & 2 of Tract 10075
4. Proposed project description:
5955 square foot building to be utilized as a Temple/Place of Worship and Religious Education
5. List and describe an other related permits and/or other public approvals required for this project, including those required by city, regional, state and federal agencies:
Fire Department

PROJECT DESCRIPTION:

6. Site Size: 22761 sq ft
7. Square footage: 5955 sq ft
8. Number of floors of construction: 2
9. Amount of off-street parking provided: 48
10. Are project Plans attached: Yes
11. Proposed scheduling:
12. Associated projects: None

13. Anticipated incremental development:

One new driveway on the north side

14. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected: N/A

15. If commercial, indicate type, whether neighborhood, city, or regionally oriented, square footage of sales area, and loading facilities: N/A

16. If industrial, indicate type, estimated employment per shift, and loading facilities: N/A

17. If institutional, indicate the major functions, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project:

Major functions: typical religious functions such as prayer services, counseling, weekend school,

Estimated employment per shift: Two

Estimated occupancy: 400

18. If project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required:

Pursuant to Bell Municipal Code Title 17 (Zoning Code), section 17.96.030.16 churches, temples, and other places of worship, require the approval of a Conditional Use Permit.

Are the following applicable to the project or its effects? Discuss below all the items checked YES (attach additional sheets as necessary)

YES NO

- NO 19. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours
- NO 20. Change in scenic views or vistas from existing residential areas or public lands or roads
- NO 21. Change in pattern, scale or character of general area of project
- NO 22. Significant amounts of solid waste or litter
- NO 23. Change in dust, ash, smoke, fumes or odors in vicinity
- NO 24. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns
- NO 25. Substantial change in existing noise or vibration levels in the vicinity
- NO 26. Site on filled land or on slope of 10 percent or more
- NO 27. Use of disposal of potentially hazardous materials such as, toxic substances, flammables, or explosives

- ___ NO 28. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)
- ___ NO 29. Substantially increased fossil fuel consumption (electricity, oil, natural gas, etc.)
- ___ NO 30. Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING

31. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be required:

General: The site is composed of three abandoned commercial lots.

Topography: Flat

Plants & animals: Weeds and a few trees

Scenic aspects: None

Existing structures: abandoned show room, bathroom, two-car garage and storage

32. Describe the surrounding properties, including information on plants and animals, any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid will be required:

Type of land use: Residential

Intensity: One-Family

Plants & animals: No animals,

Setbacks: property to the south 5ft, property to the west 3ft

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: 6/23/2011 Signature: Haidar A. Hafeez
 Title: Project Engineer

Owner's Name: Bell Islamic Center

Owner's Representative:

Name: Thomas ALKAM

Signature: 

Date: 6/23/11

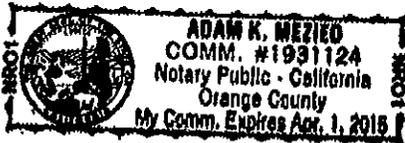
NOTARIZATION

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS'

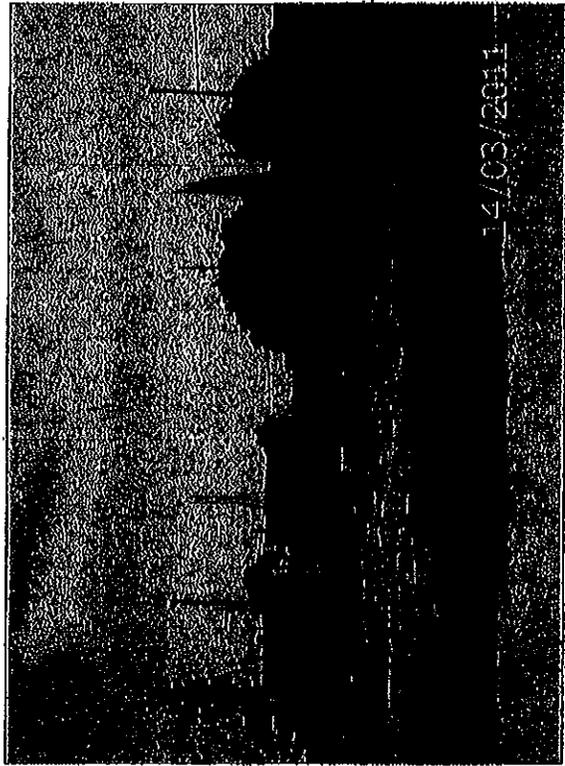
On June 23, 2011, before me, ADAM K. MEZIED, a notary public for the state, personally appeared Thomas Alkam , who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me he executed the same in his authorized capacity, and that by his signature on the instrument, the person, or the entity on behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

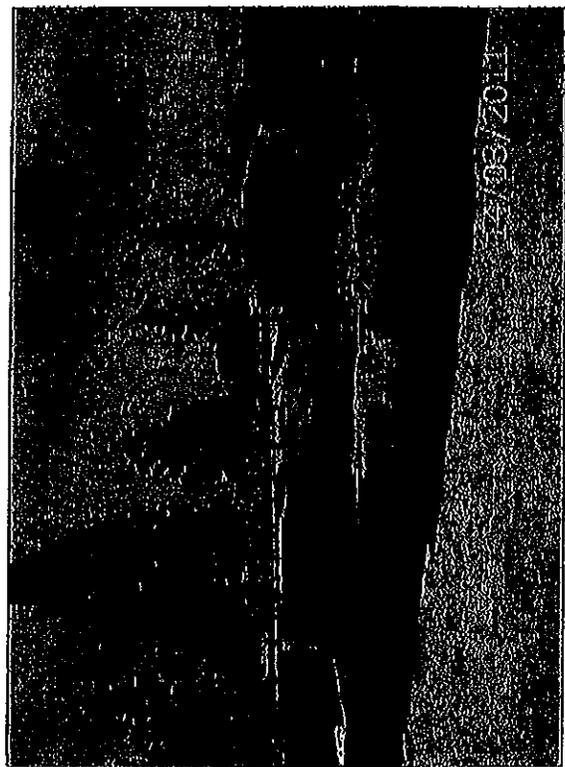
WITNESS my hand and official seal.



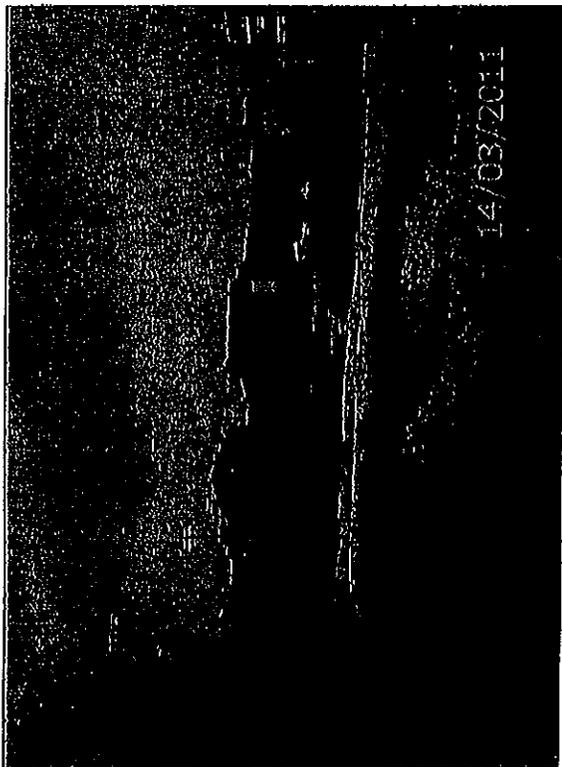

ADAM K. MEZIED



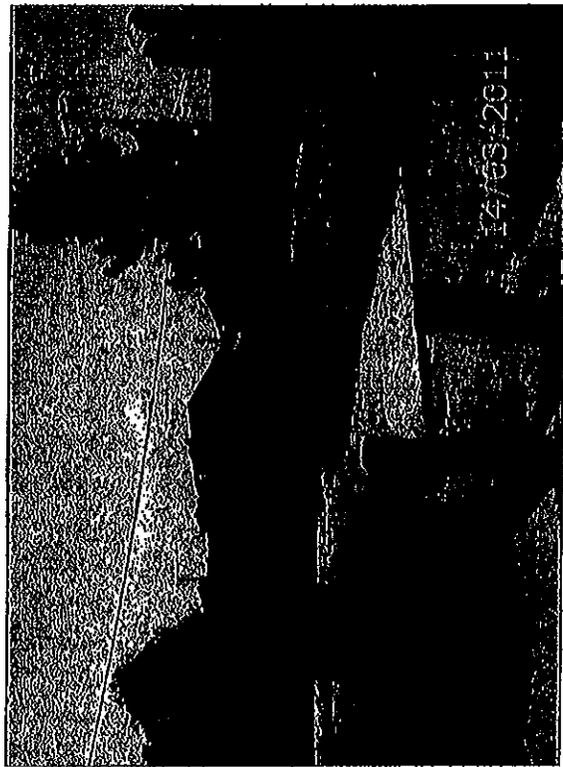
View looking toward east



View looking toward north



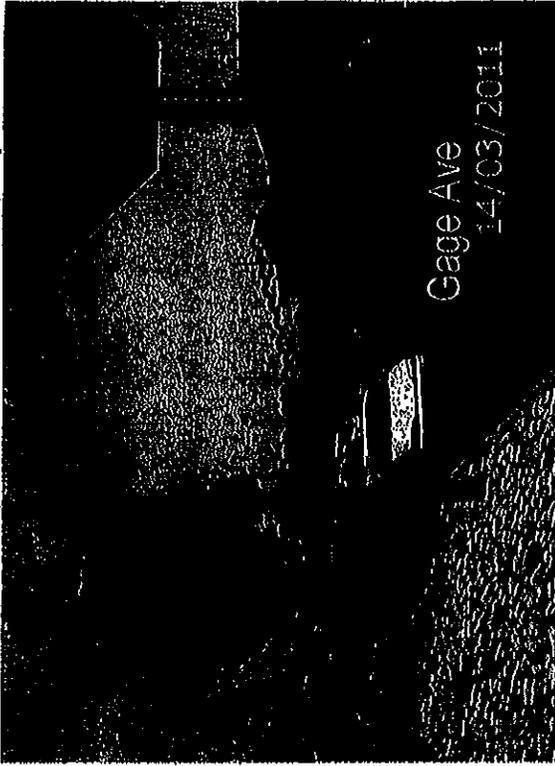
View looking toward west



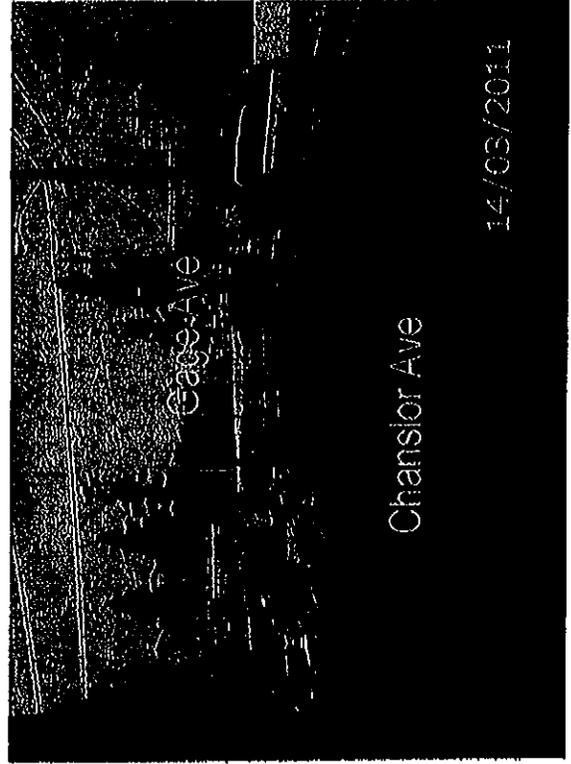
View looking toward south



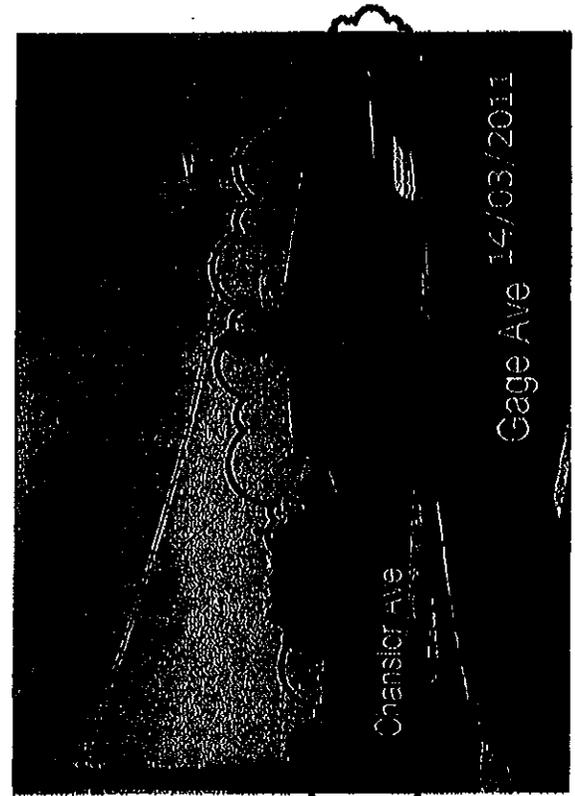
Gage Ave
14/03/2011



Gage Ave
14/03/2011



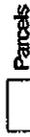
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Chanslor Ave
Gage Ave 14/03/2011



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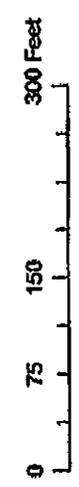
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Los Angeles County Office of the Assessor
500 W Temple Street, Room 291
Los Angeles, CA 90012



300 - FOOT VICINITY MAP
FROM AIN # 6327-030-001
6327-032-001 & 6327-032-002



RESOLUTION 2011-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2011-02 TO ALLOW THE CONSTRUCTION OF A TWO STORY, 5,955 SQUARE FOOT BUILDING TO BE USED AS A PLACE OF WORSHIP AND RELIGIOUS EDUCATION CENTER KNOWN AS THE BELL ISLAMIC CENTER, ON AN EXISTING 22,761 SQUARE FOOT SITE LOCATED AT 5232-5250 GAGE, BELL, CA.

A. RECITALS

WHEREAS, The Bell Islamic Center (the Applicant") filed a complete application requesting the approval of Conditional Use Permit 2011-02 described herein ("Application");

WHEREAS, the Application pertains to an approximate 22,761 square foot site on Los Angeles County Assessor's Parcel numbers 6327-030-001, 6327-032-001, and 6327-032-002 more commonly known as 5232, 5234 and 5250 Gage Avenue, Bell, California ("Property") respectively;

WHEREAS, the Applicant requests approval of a Conditional Use Permit to allow a place of worship and religious education center pursuant to Bell Municipal Code, Chapter 17.96.030.; and

WHEREAS, an environmental assessment form was submitted by the Applicant pursuant to pertinent City requirements. Based upon the record as a whole, including, without limitation, information received and Staff's assessment, it is the City Council's independent judgment and analysis that there is no substantial evidence that the project will have a significant environmental impact on the environment. Staff has determined that the proposed project will require the adoption of a Negative Declaration in accordance with the California Environmental Quality Act, CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; declaring that adoption of the project will not have an adverse effect upon the environment. Consequently, the staff has prepared a Notice of Determination; and

WHEREAS, on September 28, 2011, the Planning Commission of the City of Bell conducted a duly noticed Public Hearing on the Application, and all legal pre-requisites to the adoption of this resolution have occurred.

B. RESOLUTION

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

1. All of the facts set forth in the recitals, Part A of this resolution, are true and correct and are incorporated herein by reference.

RESOLUTION 2011-42

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2011-02 TO ALLOW THE CONSTRUCTION OF A TWO STORY, 5,955 SQUARE FOOT BUILDING TO BE USED AS A TEMPLE/ PLACE OF WORSHIP AND RELIGIOUS EDUCATION KNOWN AS THE BELL ISLAMIC CENTER, ON AN EXISTING 22,761 SQUARE FOOT SITE LOCATED AT 5232-5250 GAGE, BELL, CA.

A. RECITALS

WHEREAS, Rene Agüero, on behalf of Bell Islamic Center (the Applicant”) filed a complete application requesting the approval of Conditional Use Permit 2011-02 described herein (“Application”);

WHEREAS, the Application pertains to an approximate 22,761 square foot site on Los Angeles County Assessor’s Parcel numbers 6327-030-001, 6327-032-001, and 6327-032-002 more commonly known as 5230, 5234 and 5250 Gage Avenue, Bell, California (“Property”) respectively;

WHEREAS, the Applicant requests approval of a Conditional Use Permit to allow a private vocational nursing school pursuant to Bell Municipal Code, Chapter 17.96.030.; and

WHEREAS, an environmental assessment form was submitted by the Applicant pursuant to pertinent City requirements. Based upon the information received and Staff’s assessment, the project was determined to have a less than significant environmental impact on the environment. Staff has determined that the proposed project will require the adoption of a Negative Declaration in accordance with the California Environmental Quality Act, CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; declaring that adoption of the project will not have an adverse effect upon the environment. Consequently, the staff has prepared a Notice of Determination; and

WHEREAS, on September 28, 2011, the Planning Commission of the City of Bell conducted a duly noticed Public Hearing on the Application, and all legal pre-requisites to the adoption of this resolution have occurred.

B. RESOLUTION

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

1. All of the facts set forth in the recitals, Part A of this resolution, are true and correct and are incorporated herein by reference.
2. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Bell.

3. Upon independent review and consideration of all pertinent information and the information contained in the Notice of Determination for the CUP, the Planning Commission hereby finds and determines that the proposed project will require the adoption of a Negative Declaration in accordance with the California Environmental Quality Act, CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; declaring that adoption of the project will not have an adverse effect upon the environment. The Planning Commission further finds that the proposed project will not result in direct or indirect significant impact on the environment. Accordingly, the Planning Commission adopts the Negative Declaration and directs the Staff to file the Notice of Determination as required by law.
4. Based upon substantial evidence presented to this Commission during the September 28, 2011 public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:
 - a) The site for the proposed use is adequate in size, shape and topography to accommodate the proposed use. The site is adequate in size in that it is able to accommodate the required number of parking spaces for the intended use.
 - b) The subject site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use. The subject site is located on Gage Avenue which is a major arterial street that can handle the current and future generated traffic for the existing facility. The site has been designed to have three driveways to allow for sufficient ingress and egress from the property. Furthermore, the site is located on the most southerly portion of Gage Avenue which has a substantially less amount of traffic versus if the property was located on the main thoroughfare. Therefore the traffic impact will be less than significant.
 - c) The new buildings and structures will remain architecturally compatible with existing and prospective uses of land located in the immediate vicinity of the site. Specifically, the proposed new Building and facility will encourage a high level of quality in construction and site design features including using standard materials for the exterior of the building. The colors of the exterior have been designed with earth tones to blend with the surrounding properties.
 - d) The location of the proposed use on the site is compatible with existing and proposed uses along the commercial corridor along Gage Avenue. Temples and Places of Worship are permitted in the C-3R Zone, subject to receiving approval of a Conditional use Permit, and are compatible with the commercial mixed uses in the C-3R Zones surrounding the project site.

- e) The conduct of the proposed use is in compliance with the applicable provisions of the General Plan of the City of Bell. The proposed use will be promoting cultural solidarity through the provision of an additional service to Bell residents desiring to attend and Islamic Place of Worship.

Based upon the foregoing findings, the Planning Commission hereby approves Conditional Use Permit No. 2011-02, subject to the following conditions:

C. CONDITIONS OF APPROVAL

1. The property shall be maintained in accordance with:
 - A. The Application and Exhibits thereto (“A” through “E”) attached to this Agenda Report, and on file in the office of the Clerk of the City of Bell; and
 - B. All applicable laws, including, but not limited to, Bell Municipal Code and the Bell Zoning Code, specifically Chapter 17, as the same may be amended from time to time; and
 - C. All of the conditions of approval as set forth in this Conditional Use Permit No. 2011-02.
2. The Bell Islamic Center is the sole holder of this entitlement.
3. The Bell Islamic Center will be allowed to construct the 5,955 square foot building with a valid conditional use permit (CUP No. 2011-02), and any approvals that may be required by other entities having jurisdiction over the construction of the building including but limited to public utility providers and fire department.
4. This Conditional Use Permit is subject to annual review by the appropriate City of Bell Department, including but not limited to Police, Building and Safety, Planning, Public Works, Finance, CAO.
5. Any violation of any of the conditions of approval may subject the Conditional Use Permit to the revocation procedures established by Bell Municipal Code Section 17.96.170. Upon recommendation of the director, the body which originally granted the Conditional Use Permit shall conduct a noticed public hearing to determine whether such permit should be revoked.
6. Any increase in the use permitted as a part of this Conditional Use Permit shall be cause to review the Conditional Use Permit pursuant to the modification procedures in Bell Municipal Code Section 17.96.190.
7. That prior to the issuance of building permits the applicant will submit two sets of plans to the department of building and safety for plan check review and shall obtain approval of such plans by all agencies pertinent to the project proposal
8. The Applicant shall also be responsible for paying any required City fees and fees from other associated agencies prior to the issuance of a building, grading, demolition or encroachment permits.

9. That all textures, materials, and colors utilized on exterior elevations of the building are subject to review by the City of Bell Architectural Review Board.
10. That before the issuance of any permits for this project, that the applicant shall consolidate the lots with parcel numbers 6327-030-001, 6327-032-001 and 6327-032-002 to be held as one by filing a lot merger application with the City Engineer's Office
11. That all exterior building surfaces, including but not limited to doors and windows shall be properly cleaned and maintained at all times, and
12. Any graffiti placed on any building or structure located on the property shall be removed promptly after its placement. Failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work.
13. That no vehicles (commercial or otherwise) shall be:
 - a. Parked on the property except in marked parking spaces; and
 - b. Parked on the property unless owned and operated by patrons and/or employees of the building; and
 - c. Parked overnight; and
14. The Applicant guarantees that there will be no deviation from the approved minimum number of parking spaces, including reserved parking, compact parking, loading spaces, car and vanpool parking and any other ancillary forms of parking provided, and that the project will at all times conform to the parking plan indicated in Exhibit "A" -"Site Plan".
15. That Applicant, agrees to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, signs and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) sweeping and trash removal; (ii) the care and replacement of all shrubbery, plantings, and other landscaping in a healthy condition; and (iii) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving, at all times be kept in a level and smooth condition.

16. The applicant will guarantee that they will remove and replace all offsite improvements including but not limited to all driveway approaches, full width sidewalks, curb and gutter, and new handicap ramps along both street frontages (Gage and Chanslor Avenues). Plan shall be submitted for review and approval by the City Engineer.
17. That the proposed project shall comply with the provisions outlined in the National Pollution Discharge Elimination System (NPDES);
18. That clarifiers or filters shall be placed at strategic locations in the parking area to prevent illicit discharge of substances into storm drains.
19. The Applicant agrees to maintain proper security lighting on the property that promotes a secure and safe environment. Prior to the installation of any new exterior lighting, a lighting plan shall be submitted for review and approval by the City's Police Chief and the Planning and Building Department. Any new and existing exterior lighting shall be fully shielded to ensure no glare will be emitted to the surrounding properties.
20. The Applicant agrees that all new improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2010 California Building Code.
21. That any required inspections shall be requested 48 hours in advance and the cost shall be the responsibility of the Applicant.
22. That all activities related to the business shall be conducted inside of the proposed structure.
23. That adequate security fencing shall be installed before construction begins.
24. That no storage shall occur on the premises outside of the building storage area.
25. That the applicant and each of his agents, contractors, and subcontractors engaged in construction activities on the property shall obtain proper permits, business licenses, and contractor's licenses from the City of Bell.
26. Before the demolition of and grading phase of the project is conducted, the applicant will provide a waste management plan to verify compliance of the mandated recycling ordinance 1157 which requires that all projects recycle at least 50% of the total project waste.
27. That any work shall be performed in accordance with the requirements of the *Standard Specifications for Public Works Construction*, 2010 edition, and any supplements or amendments thereto.

28. That any public improvements damaged as a result of construction activities on the site shall be removed and replaced in accordance with City Standards
29. That the Applicant agrees that any subsequent tenant improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2010 California Building Code.
30. There shall be no public telephones located on the property except within an enclosed building. The term "building," as used herein, shall not include telephone booths.
31. All trash enclosures shall be maintained in accordance with the standards of the City and shall be architecturally compatible with principal structures and shall be located in a manner that will not impede vehicular motion on the property and shall be properly screened with department approved materials including but not limited to landscaping, shrubs, trees and or vines.
32. Any additional signage shall require that a signage plan be submitted separately and approved by the Architectural Review Board, pursuant to the provisions outlined in the Bell Zoning Code.
33. The Applicant or an authorized representative shall execute an Affidavit indicating that he/she is aware of all of the terms of this Conditional Use Permit, and accepts all the conditions imposed by this Conditional Use Permit.
34. Applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office and that copies of said licenses and certifications shall be maintained on file with the City of Bell.
35. That the applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the applicant of any such claim, action or proceeding against the City of bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

D:That the City of Bell Clerk shall certify the adoption of this Resolution and shall forward a copy of this Resolution to Bell Islamic Center.

ADOPTED this 26th Day of Octobe, 2011

Ali Saleh
Mayor

ATTEST:

Rebecca Valdez, CMC
City Clerk

I CERTIFY that the foregoing Resolution No. 2011-42 was adopted by the Planning Commission of the City of Bell at a regular meeting thereof held on the 26th day of October, 2011 by the following vote:

AYES:

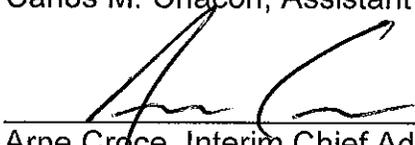
NOES:

ABSTAIN:

ABSENT:

Rebecca Valdez, CMC
City Clerk

City of Bell Agenda Report

DATE: October 26, 2011
TO: Honorable Chair and Planning Commission Members
FROM: Carlos M. Chacon, Assistant City Planner
APPROVED BY: 
Arne Croce, Interim Chief Administrative Officer

SUBJECT: PUBLIC HEARING FOR AND CONSIDERATION OF CONDITIONAL USE PERMIT NO 2011-06 TO CONSIDER A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE SALE FOR OFF-PREMISES CONSUMPTION OF BEER AND WINE AT A PROPOSED RETAIL GROCERY LOCATED WITHIN AN EXISTING 4,000 SQUARE FOOT BUILDING ON AN 11,362 SQUARE FOOT LOT. THE SUBJECT PROPERTY IS LOCATED AT 6399 ATLANTIC AVENUE WITHIN THE C-3 ZONING DISTRICT.

RECOMMENDATION

Staff recommends that the application be reviewed, the public hearing be conducted, and that the Planning Commission adopt Planning Commission Resolution No. PC 2011-47 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL FOR CONDITIONAL USE PERMIT 2011-06 TO CONSIDER A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW OFF-SALE OF BEER AND WINE AT A PROPOSED RETAIL GROCERY LOCATED WITHIN AN EXISTING 4,000 SQUARE FOOT BUILDING ON AN 11,362 SQUARE FOOT LOT. THE SUBJECT PROPERTY IS LOCATED AT 6399 ATLANTIC AVENUE WITHIN THE C-3 ZONING DISTRICT.

DISCUSSION

The applicant, Jose Gomez on behalf of Fresh & Easy Neighborhood Market, is requesting that the City of Bell Planning Commission consider a request for Conditional Use Permit 2011-06 to consider a Determination of Public Convenience or Necessity to allow Off-sale of Beer and Wine at a proposed Retail Grocery located within an existing 4,000 square foot building on an 11,362 square foot lot. The Subject property is located at 6399 Atlantic Avenue within the C-3 zoning district.

BACKGROUND

The applicant, Fresh & Easy Neighborhood Market is a chain of Grocery Stores found only in the western United States whose headquarters are located in El Segundo, California. Since their founding in 2007, Fresh & Easy has grown to establish 128 stores in California. They are considered environmentally responsible and have made a commitment to establishing stores that are energy efficient and are built according to Leadership Energy and Environmental Design certifications.

Fresh & Easy Neighborhood Market currently employs an average of 20-30 employees per store for an average-sized store. However, given the size of this proposed store, they will create positions for 12 to 14 employees at 5 employees per shift. Employees are offered health insurance benefits as part of their compensation.

DESCRIPTION OF PROPERTY AND IMPROVEMENTS

The property is located on the North West corner of Atlantic and Gage Avenues and is part of the Bell Palm Plaza which currently has approximately 313,459 square feet or 7.19 acres of shopping facilities and adjacent parking. The property consists of parcel 6317-018-407 with a total of 11,362 square feet. The lot measures 88 linear feet of street frontage along Gage Avenue and 117 linear feet facing Atlantic Avenue. The site is currently developed with a building which is located on the corner of Gage and Atlantic with a total of 4,212 square feet and is approximately 27 feet high. This building is currently established as a Blockbuster Video Rental store.

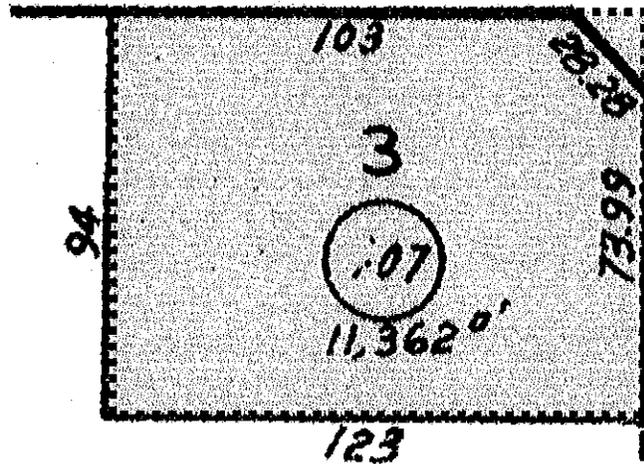
The site has multiple access driveways along Gage Avenue and along Atlantic Avenue via the other driveways located within the Bell Palm Plaza. There is one ingress and egress driveway located on the gage avenue side and the other multiple driveways are located on the Atlantic Avenue side.

The applicant proposes to locate a Fresh & Easy Express Neighborhood Market as reflected on Attachment "C" within the existing building's square footage. The applicant will remodel the existing 4,000 square foot building to match the company's color theme 'herb garden', 'Philadelphia Cream', and 'California Hills'. The applicant will also be seeking approval for a Type 20 Alcoholic Beverage Control License for the sale of beer and wine for off-site consumption along with the tenant improvement to accommodate an onsite bakery within the proposed grocery market.

The proposed hours of operation are from 6:00 AM to 11:00 PM. Delivery of product and goods are limited by the current approval of Resolution 90-25. According to condition of approval No. 43, "all commercial deliveries to the property [Bell Palm Plaza] shall be prohibited between the hours of 2:00 PM and 6:00 PM, Mondays through Fridays".

LA COUNTY ASSESSOR'S PARCEL MAP

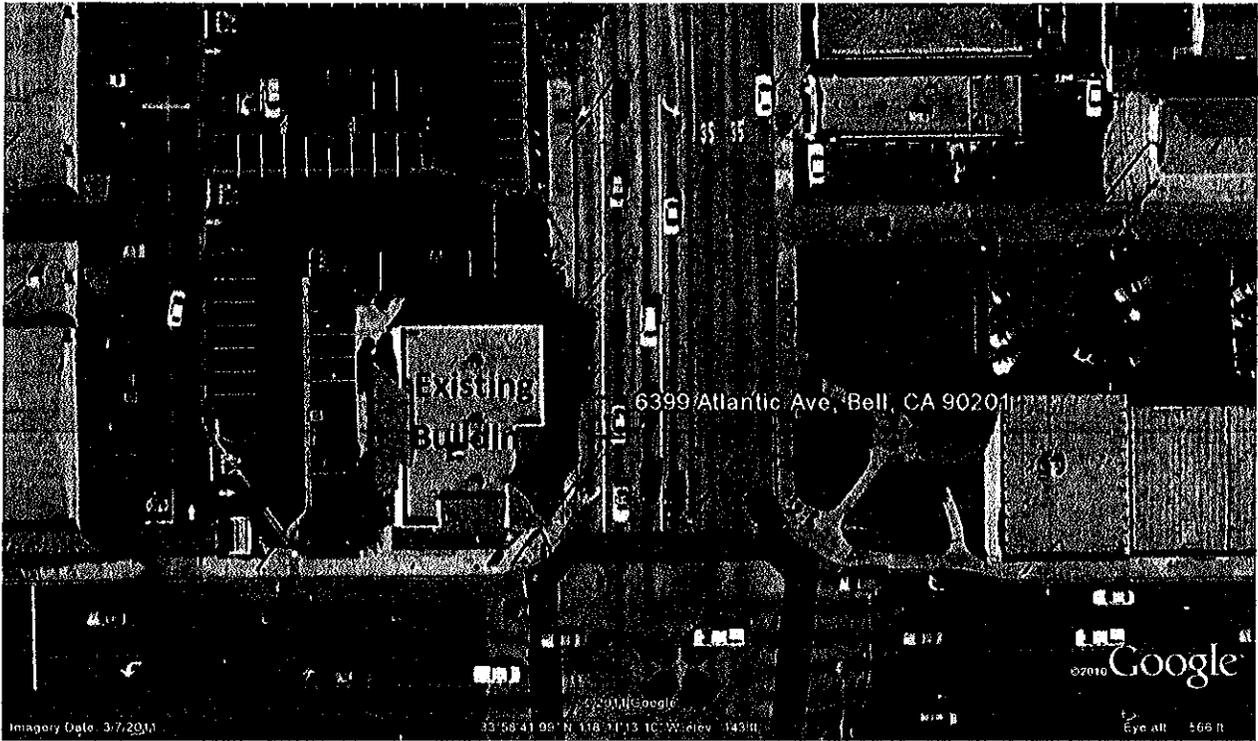
ATLANTIC AVENUE



AERIAL PHOTO
(General Location)



**AERIAL PHOTO
(Detailed)**



STREET VIEW



SURROUNDING LAND USES

Direction	Land Use Designation	Use
North	C-3	Heavy Commercial
South	C-3	Heavy Commercial
East	C-3	Heavy Commercial
West	C-3	Heavy Commercial

PARKING

Bell Municipal Code section 17.76.020, General Commercial and Office Areas only require a parking ratio of 1 parking stall for every 200 square feet of gross floor area up to 5,000 square feet. Using this ratio, staff determined the parking requirement for each building as noted on the Land Use Statistics table below. Currently the site has adequate parking for the current use. Once the tenant improvements are conducted the Parking layout will be modified to accommodate the new store entrance location and all accessible parking will be adjusted accordingly.

LAND USE STATISTICS

Total Lot Area (square feet)	11,362 sq. ft.
Building Area (square feet)	4,212 sq. ft.
Grocery Sales Area	2,813 sq. ft.
Total Number Parking Spaces Required for Gross Floor Area of Building	21 spaces
Total Number of Parking Spaces Existing	20 Standard + 1HC= 21 spaces

GENERAL PLAN CONSISTENCY

The City's General Plan Land Use Element designates the subject property for Commercial use. The proposed use would be consistent with the General Plan and does not conflict with the established goals and objectives of the Land Use Element which states that Grocery Markets are a permitted use in the C-3 zone in which the subject property is located. Pursuant to Bell Municipal Code section 17.96.030(2)(c), any proposed retail establishment, other than a gas station, consisting of less than 23,000 square feet in gross floor area, and which proposes to sell for off-site consumption beer and wine, shall require a Conditional Use Permit.

The proposed Commercial tenant improvement will be adequate for the site and will meet the general Plan policy 2 in which the project will promote economic stability through the diversification of the commercial base and will develop new employment opportunities.

EXISTING CONDITIONS OF APPROVAL

The proposed grocery market is proposed to be located on the existing Blockbuster Video site that was previously approved through Resolution 90-25 in which condition of approval number 46 states, "That except as provided in condition No. 47, no use shall be located, commenced, or maintained on Parcel No. 3, as shown on the Tentative Parcel Map marked Exhibit 'B', without the prior approval of the Agency [Bell Community Redevelopment Agency], to assure compliance with the Plan [Development Plan] and to assure compatibility with surrounding and adjacent uses;".

ARCHITECTURAL REVIEW

The structures are pre-existing commercial buildings with access being provided by existing parking driveways and parking lots at the rear and the side of the property. There will be no additions made to the buildings. The only modification that will be made will be to the interior layout and an exterior façade remodel.

PUBLIC CONVENIENCE OR NECESSITY

Pursuant to sections 23958 and 23958.4 of Business and Professions Code the Department of Alcoholic Beverage Control will not issue an alcoholic beverage license to a grocery facility located in an area of "undue concentration" unless the local government entity first makes a finding of "Public Convenience or Necessity" for the sale of alcoholic beverages at that location.

The project is located within Census Tract 5336.01, which allows up to three (3) off-site sales type 20 Department of Alcoholic Beverage Control (ABC) Licenses. According to ABC records, as of June 2011, there are currently three (3) existing licenses within the

Census Tracts. Therefore a finding of Public Convenience or Necessity will be required for this site in order for the Department of Alcoholic Beverage Control to issue the new license.

CRIME STATISTICS

A study was conducted to determine the local crime statistics for the surrounding locations that currently have ABC Licenses, to which staff found to be negligible. In the last 2 years there has been only one incident involving a person consuming alcohol in public which was cited at 3727 Gage Avenue on June 18, 2011.

PUBLIC NOTICE

In conformance with applicable law, staff sent out notices to all the surrounding property owners within 500 feet of the project location. A total of 53 owners were notified of the proposed application and project proposal. The notices were also posted at three specific sites and were published on October 14, 2011 in a newspaper of general circulation which is adjudicated in the city for public notice.

ENVIRONMENTAL REVIEW

Staff has reviewed the Conditional Use Permit application and determined that the proposed project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act ("CEQA") Guidelines, Title 14, Chapter 3 of the California Code of Regulation and is thereby exempt from CEQA, Public Resources Code Sections 21000 et seq. Consequently, the staff has prepared a Notice of Exemption.

FINDINGS OF FACT

Pursuant to Chapter 17.96.040 of the Bell Zoning Code, staff has provided the following findings that the following circumstances are applicable to the subject site:

1. The proposed use is consistent with the project site because the proposed site plan showed no modifications to the current building except for colored signs and themed painting on the existing building. There will be a tenant improvement for the interior of the store.
2. The subject site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use. The subject site is located on Gage Avenue and Atlantic Avenue which are major arterial streets that can handle the current and future generated traffic for this existing facility. Additionally, the site is arranged to provide adequate circulation for ingress and egress from Gage and Atlantic Avenues, effectively eliminating any direct traffic incidents on Atlantic Avenue.

3. The location of the proposed use on the site is compatible with existing and proposed uses along the commercial corridor along Atlantic and Gage Avenues. The proposed sale of beer and wine for off-site consumption will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare in that the surrounding area is composed of other similar commercial uses that sell beer and wine.
4. The conduct of the proposed use is in compliance with the applicable provisions of the general plan of the City of Bell. The proposed use will be promoting economic stability through the provision of an additional service to patrons which will result in the diversification of the commercial base along the Gage and Atlantic Avenue corridors.
5. The proposed use of the site including the sale of beer and wine for off-site consumption is deemed to be of necessity to the applicant's business plan and part of the desired services offered to the public as a convenience while shopping at the proposed market.

CONDITIONS OF APPROVAL

If the Conditional Use permit is granted, that the following conditions be attached to the Conditional Use Permit:

That the property shall be maintained in accordance with:

- A. The Applications and Exhibits thereto, "A" through "D" included in this report on file in the office of the Clerk of the City of Bell; and
 - B. All applicable laws, including, but not limited to, Bell Municipal Code and the Bell Zoning Code, Specifically Chapter 17, as the same exist as of the date of approval of this Application or as the same may hereafter be amended; and
 - C. All of the conditions of approval as set forth in this Conditional Use Permit No. 2011-06; and
1. That Fresh & Easy Neighborhood Market is the sole holder of this entitlement; and
 2. That Fresh & Easy Neighborhood Market will operate a retail grocery store as "Fresh & Easy Express Neighborhood Market" only with a valid conditional use permit (CUP No. 2011-06); and

3. That the applicant's total yearly alcohol sales shall make up no more than twenty five (25) percent of the establishment's total yearly gross sales;
4. That prior to March 1 of each year the establishment shall submit to the City's director of development services yearly financial statements for the prior calendar year, demonstrating compliance with Chapter 17.96, subsection 17.96.030 (2)(c)(iii)(A) along with a fee to be established by the City, to pay for processing of said financial statements;
5. That notwithstanding submittal of a financial statement as provided in Condition No. 6, if in the opinion of the director of development services or his designee a financial audit of the restaurant is necessary to determine compliance under Condition No. 5, the applicant must pay the entire reasonable cost for such audit with the auditor to be selected by the director of development services or his or her designee;
6. That the chief of police has the power to determine if a continuing police problem exists at the restaurant and if he or she determines such, he or she may require that the restaurant pay the actual and reasonable cost for police services used and/or may require the presence of a police-approved doorman and/or security personnel;
7. That any violation of any of the conditions of approval may subject the Conditional Use Permit to the revocation procedures established by Bell Municipal Code Section 17.96.170. Upon recommendation of the director, the body which originally granted the Conditional Use Permit shall conduct a noticed public hearing to determine whether such permit should be revoked;
8. That the Conditional Use Permit conditions shall be placed on the property in a location where employees can easily read the conditions;
9. That all alcoholic beverages sold must be bagged in clear plastic bags. Use of brown paper or other opaque bags or packaging is prohibited;
10. That any increase in the use permitted as a part of this Conditional Use Permit shall be cause to review the Conditional Use Permit pursuant to the modification procedures in Bell Municipal Code Section 17.96.190;
11. That this Conditional Use Permit is subject to annual review by the appropriate City of Bell Department, including but not limited to Police, Building and Safety, Planning, Public Works, Finance, CAO; and
12. That any violation of any of the conditions of approval shall constitute a revocation of this permit; and
13. That any (i) substantial modification to a building or structure located on the property, or (ii) intensification of use so as to make the parking inadequate, as

determined by the Chief Administrative Officer or designee, shall be referred to the Planning Commission for review and approval; and

14. That prior to the issuance of building permits the applicant will submit two sets of plans to the department of building and safety for plan check review and shall obtain approval of such plans by all agencies pertinent to the project proposal; and
15. That all conditions of approval, as requested in writing by the Los Angeles County Fire Department, the Los Angeles County Health Department, and in compliance with the 2010 California Building Code, regarding but not limited to hazardous/flammable storage of chemicals and/or materials, access, fire flow, and maximum occupancy requirements for the property shall be complied with or guaranteed prior to the issuance of building permits for improvements of the property; and
16. That any graffiti placed on any building or structure located on the property shall be removed promptly after its placement; failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work; and
17. That no vehicles (commercial or otherwise) shall be:
 - i. Parked on the property except in marked parking spaces; and
 - ii. Parked on the property unless owned and operated by patrons and/or employees of the building; and
 - iii. Parked overnight; and
18. That all textures, materials, and colors utilized on exterior elevations of the building are subject to review by the City of Bell Architectural Review Board and/or Planning Commission; and
19. That the Applicant guarantees that there will be no deviation from the approved number of parking spaces, including reserved parking, compact parking, loading spaces, car and vanpool parking and any other ancillary forms of parking provided, and that the project will at all times conform to the parking plan indicated in Exhibit "C" to the Agenda Report accompanying this Resolution; and
20. That the applicant agrees to maintain proper lighting on the property that promotes a secure and safe environment; and

21. That the Applicant agrees that all tenant improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2010 California Building Code; and
22. That there shall be no public telephones located on the property except within an enclosed building. Building as used herein shall not include telephone booths; and
23. That all trash enclosures shall be maintained in accordance with the standards of the City and shall be architecturally compatible with principal structures, shall be located in a manner that will not impede vehicular motion on the property, and shall conform to the site plan attached as Exhibit "C" to the Agenda Report accompanying this Resolution; and
24. That any signage shall require that a signage plan be submitted separately and approved by the Architectural Review Board, pursuant to the provisions outlined in the Bell Zoning Code; and
25. That the applicant and each of his agents, contractors, and subcontractors engaged in construction activities on the property shall obtain proper business and contractor's licenses from the City of Bell; and
26. Applicant, agrees to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) building surfaces and structures shall be painted and kept in good repair; (ii) signs shall be maintained in a first class condition of repair; (iii) sweeping and trash removal shall be performed regularly; (iv) shrubbery, plantings, and other landscaping shall be cared for and kept in a healthy condition, and replaced as needed; and (v) asphalt or concrete paving shall be repaired, replaced and restriped using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition; and
27. That all commercial deliveries to the Property shall be prohibited between the hours of 2:00 p.m. to 6:00 p.m., Mondays through Fridays; and
28. Applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office and that copies of said licenses and certifications shall be maintained on file with the City of Bell; and

29. That the Applicant or a representative shall execute an Affidavit indicating that he/she is aware of all of the terms and accepts all the conditions imposed upon this Conditional Use Permit; and
30. That the applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the applicant of any such claim, action or proceeding against the City of bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

Attachments

- Exhibits:
- "A" – Conditional Use Permit Application
 - "B" – Environmental Notice of Exemption
 - "C" – Site Plan, Floor Plan and Elevations
 - "D" – Radius Map



CITY OF BELL

CONDITIONAL USE PERMIT APPLICATION

(Note: Obtain instructions as to the preparation of maps and other information required for this application from the Planning Department before filing this petition.)

CUP2011-06

PLANNING COMMISSION,
CITY OF BELL, CALIFORNIA

The applicant (s) JOSE GOMEZ (ADOLPH ZIEMPA, AIA & ASSOCIATES, INC.)
is/are REPRESENTATIVE FOR THE LESSEE, FRESH AND EASY NEIGHBORHOOD MARKET.
(State whether owner, lessee, purchaser, or agent for any of the foregoing. If applicant is the agent for any of the foregoing, written authorization must be attached, together with a copy of the contract to purchase where appropriate.)

of the property situated at 6399 S. ATLANTIC AVE. BELL, CA 90201
(street address)
between CAGE AVE. and RANDOLPH ST.
(street) (street)

exact legal description of the said property PARCEL 3 OF THE PARCEL MAP 20500, IN
THE CITY OF BELL, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED
IN BOOK 241, PAGES 87 AND 88 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER
(take legal description from deed or policy of title insurance) OF SAID COUNTY, 6317-018-41

→ A. Above described property was acquired by applicant on 01-26-1999
(month, day, year)

→ B. What original deed restrictions concerning type of improvements permitted, if any, were placed on the property involved? Give date said restrictions expire.
SEE ATTACHED

(You may attach copy of original printed restrictions in answer to this question after properly underscoring those features governing the type and class of uses permitted thereby.)

C. REQUEST: The applicant requests that a Conditional Use Permit be granted to use the above described property for the following purposes:

1. PROPOSED USE: RETAIL GROCERY MARKET WITH ALCOHOL SALES (BEER + WINE)

2. PRESENT ZONING: C-3 HEAVY COMMERCIAL

3. NATURE OF BUSINESS: N/A

(Use this space ONLY to state exactly what is intended to be done on or with the property which does not conform with existing zoning regulations. If a building is involved, a sketch or plan to scale with photographic or other suitable description should accompany this application.)

PROPERTY OWNER'S AFFIDAVIT

COUNTY OF LOS ANGELES)

) SS.

STATE OF CALIFORNIA)

I MARK LEEVAN, Being duly sworn depose and say that I am an owner of property involved in this petition and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signed [Signature]
9459 WILSHIRE BLVD.
Mailing Address

Phone Number 310-274-9403 Beverly Hills CA 90212
City State Zip

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public

State of California
County of Los Angeles

Subscribed and sworn to (or affirmed) before me this 12th day of September, 2011 by Mark Leevan proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

[Signature]

Shigeru Kenneth Hayakawa



My Commission Expires: May 7, 2015

CITY OF BELL
PLANNING COMMISSION

NOTE: The Code requires that the conditions set forth in the following three Sections 1, 2, 3, below MUST be established before a Conditional Use Permit can be granted. (Explain in detail wherein your case conforms to the following requirements.)

I. THAT THE SITE FOR THIS PROPOSED USE IS ADEQUATE IN SIZE AND SHAPE AND TOPOGRAPHY: (EXPLAIN)

THE SUBJECT SITE IS LOCATED ON THE NORTH-WEST CORNER OF ATLANTIC AVE AND GAGE AVE. IT IS APPROXIMATELY 0.26 ACRES IN SIZE WITH AN EXISTING VIDEO RENTAL STORE THAT WILL BE REMODELED AND REPLACED WITH A 4000^{sq} FRESH AND EASY-EXPRESS MARKET. NO ADDITIONAL SQUARE FOOTAGE TO THE EXISTING BUILDING IS BEING PROPOSED.

II. THAT THE SITE HAS SUFFICIENT ACCESS TO STREET AND HIGHWAYS, ADEQUATE IN WIDTH AND PAVEMENT TYPE TO CARRY THE QUANTITY AND QUALITY OF TRAFFIC GENERATED BY THE PROPOSED USE: (EXPLAIN)

THE SUBJECT SITE IS PART OF BELL PALM PLAZA WHICH IS APPROXIMATELY 313,459^{sq} FT OR 7.19 ACRES IN SIZE AND HAS ADEQUATE PARKING AND STREET ACCESS TO ACCOMMODATE THE PROPOSED USE. PARKING WILL ONLY BE SLIGHTLY MODIFIED TO PROVIDE CLOSER ADA ACCESS TO THE FRONT ENTRY TO THE STORE.

III. THAT THE PROPOSED USE WILL NOT HAVE AN ADVERSE EFFECT UPON ADJACENT PROPERTIES: (EXPLAIN)

THE PROPOSED SALE OF ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION IN CONJUNCTION WITH THE NEW FRESH & EASY STORE WILL NOT CREATE ADVERSE IMPACTS TO THE CHARACTER OF DEVELOPMENT IN THE IMMEDIATE NEIGHBORHOOD. THE STORE WILL PROVIDE THE COMMUNITY WITH A NEW RETAIL FACILITY WITH ON-SITE PASTRY AND A HOST OF COMPETITIVELY PRICED PRODUCTS. THE PROPERTY IS ZONED FOR SUCH A USE AND THE PROPOSED USE IS COMPATIBLE WITH THE DEVELOPMENT OF THE COMMUNITY.

ENVIRONMENTAL INFORMATION FORM

(To be completed by applicant)

Date filed 9-19-11
Project Permit Number CVP 2011-06
Subject Site Zone C3 (HEAVY COMMERCIAL)

GENERAL INFORMATION

1. Name, address, and telephone number of developer or project sponsor:
MARK LEEVAN (MARK LEEVAN INVESTMENT, CO.)
9454 WILSHIRE BLVD. #600, BEVERLY HILLS, CA 90212 (310) 274-9403
2. Name, address, and telephone number of person to be contacted concerning this project if different from above:
JOSE GOMEZ (ADOLPH ZIEMBA, AIA & ASSOCIATES, INC.)
601 S. GLENDALES BLVD. #400, BURBANK, CA 91502 (818) 841-2515
3. Address of project: 12399 S. ATLANTIC AVE. BELL, CA. 90201
Assessor's Block and Lot Number: _____
4. Proposed project description:
TENANT IMPROVEMENT AND CHANGE OF USE FROM EXISTING
VIDEO RENTAL STORE TO GROCERY MARKET.
5. List and describe any other related permits and/or other public approvals required for this project, including those required by city, regional, state and federal agencies:
HEALTH DEPARTMENT AND RELATED BUILDING & SAFETY
APPROVALS ARE REQUIRED.

PROJECT DESCRIPTION

6. Site Size: 11,362 \pm
7. Square footage: 4000 \pm
8. Number of floors of construction: ONE (1)
9. Amount of off-street parking provided: 21 PARKING SPACES
10. Are Project Plans attached: YES
11. Proposed scheduling: 6 AM. TO 11 PM.
12. Associated projects: - NA -

13. Anticipated incremental development:
NO ADDITIONAL SQUARE FOOTAGE.
14. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected:
COMMERCIAL.
15. If commercial, indicate the type, whether neighborhood, city, or regionally oriented, square footage of sales area, and loading facilities:
GROCERY MARKET W/ 2,813 # SALES AREA AND
 1,187 # OF WAREHOUSE AREA.
16. If industrial, indicate type, estimated employment per shift, and loading facilities:
N/A
17. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project:
N/A
18. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required:
REQUIRES CONDITIONAL USE PERMIT FOR REVIEW OF PROPOSED
 USE AND OFF-SITE ALCOHOL SALES.

Are the following items applicable to the project or its effects? Discuss below all the items checked YES (attach additional sheets as necessary)

- | YES | NO | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 19. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground contours. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 20. Change in scenic views or vistas from existing residential areas or public lands or roads. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 21. Change in pattern, scale or character of general area of project. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 22. Significant amounts of solid waste or litter. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 23. Change in dust, ash, smoke, fumes or odors in vicinity. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 24. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 25. Substantial change in existing noise or vibration levels in the vicinity. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 26. Site on filled land or on slope of 10 percent or more. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 27. Use of disposal of potentially hazardous materials such as, toxic substances, flammables, or explosives. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 28. Substantial change in demand for municipal services (police, fire, water, sewage, etc.) |

- X 29. Substantially increased fossil fuel consumption (electricity, oil, natural gas, etc.)
- X 30. Relationship to a larger project or series of projects. (BELL PALM PLAZA)

ENVIRONMENTAL SETTING

31. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be required.

EXISTING BLOCKBUSTER VIDEO RENTAL STORE. BUILDING FOOTPRINT WILL NOT INCREASE AND EXTERIOR ALTERATIONS WILL TAKE PLACE. PROVIDING ADDITIONAL GLAZING ON THE ATLANTIC AVE AND GAGE ELEVATIONS, WITH A DISTINCTIVE "SAIL" PARAPET AROUND THE RELOCATED ENTRY.

32. Describe the surrounding properties, including information on plants and animals, any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be required.

PROJECT IS LOCATED ON THE NORTH-WEST CORNER OF ATLANTIC AVE. AND GAGE AVE. THE SUBJECT PROPERTY IS AN EXISTING VIDEO RENTAL STORE AND PART OF BELL PALM PLAZA. IT IS SURROUNDED BY ADJACENT COMMERCIAL LAND USES ON ALL SIDES.

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the date and information required for this initial evaluation to the best of my ability and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: 9-19-11 Signature: [Signature]
 Title: ASST. PROJECT MANAGER.

NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

FROM: City of Bell
6330 Pine Avenue
Bell, CA 90201

County Clerk
County of Los Angeles
12400 Imperial Highway
Norwalk, CA 90650

PROJECT TITLE: CUP 2011-06
PROJECT LOCATION - Specific: 6399 Atlantic Ave
PROJECT LOCATION - City: Bell, CA 90201
PROJECT LOCATION - County: Los Angeles County

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

Project proposes to allow Conditional Use Permit 2011-06 to consider a Determination of Public Convenience or Necessity to allow Off-sale of Beer and Wine at a proposed Retail Grocery located within an existing 4,000 square foot building on an 11,362 square foot lot.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of Bell
NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: City of Bell

EXEMPT STATUS: (Check one)

- Ministerial (Sec.21080(b)(1):15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 Categorical Exemption. State type and section number: 15301
 Statutory Exemption. Sate code number:

REASONS WHY THE PROJECT EXEMPT:

The project, as proposed involves negligible or no expansion of an existing commercial building and negligible or no expansion of use as a neighborhood grocery market beyond that existing at this time. The entitlement permit will only allow the building to be occupied by Fresh & Easy Neighborhood Market with the sale of beer and wine for off-site consumption.

LEAD AGENCY CONTACT PERSON: Carlos M. Chacon (323) 588-6211

IF FILED BY APPLICANT:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?

YES NO

SIGNATURE: 
DATE: 10/12/11
TITLE: ASSISTANT CITY PLANNER

Signed By Lead Agency

Date Received for filing at OPR: _____

Signed By Applicant

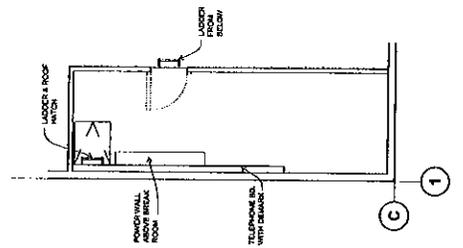
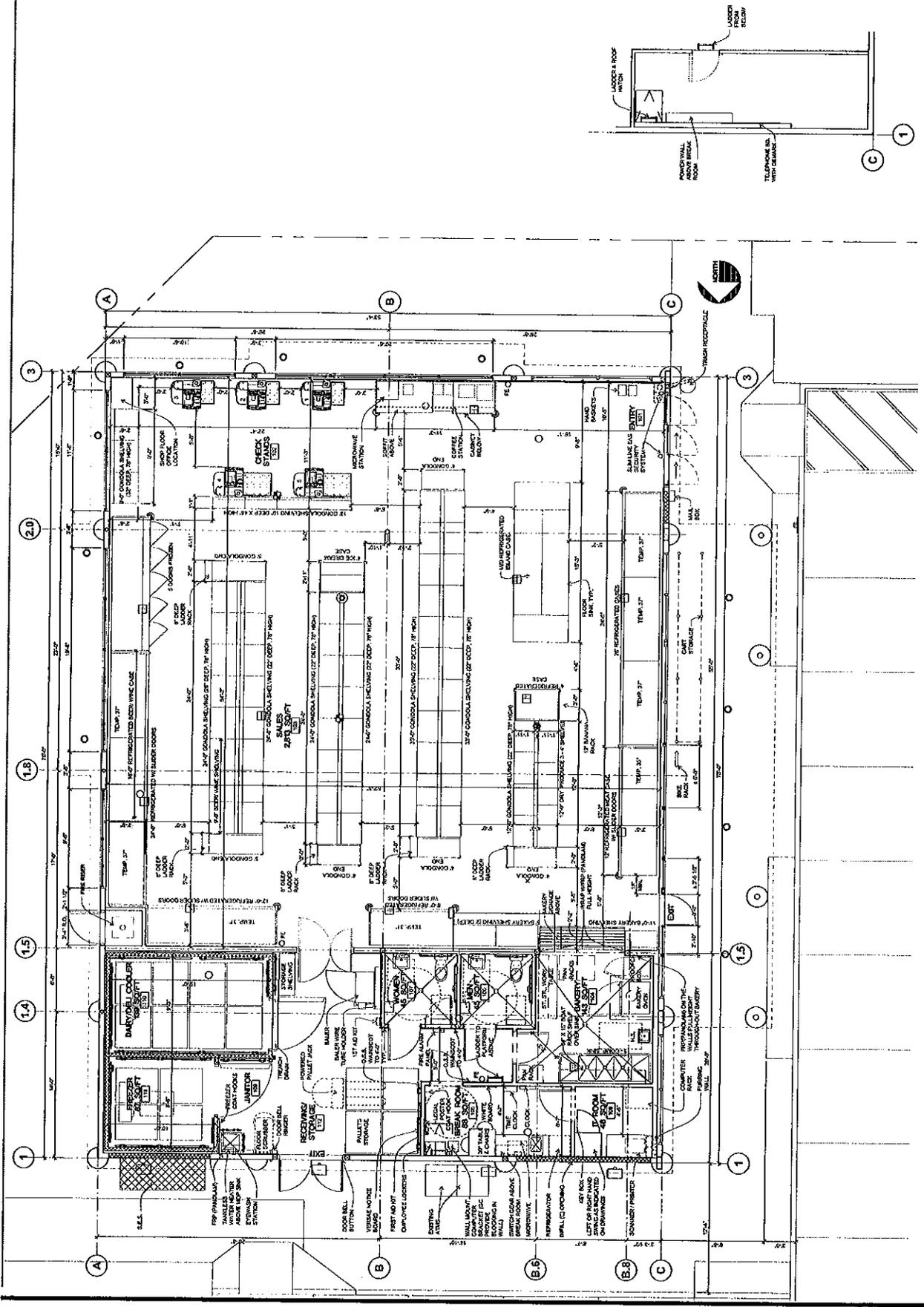
ADOLPH ZIRKHA, AIA
 & ASSOCIATES, INC.
 601 SOUTH GERRARD AVENUE, SUITE 400
 BURLINGTON, ONTARIO L7R 4K1
 TEL: (416) 693-8478
 FAX: (416) 693-8479
 E-MAIL: zirkha@adolphzirkha.com



6399 S. ATLANTIC AVE.
 BELL, CA 94021
 NYC-ATLANTIC AVE.
 & GAGE AVE

F1.1
 FIXTURE PLAN
 PROJECT NUMBER
 DATE
 DRAWING NUMBER
 REVISIONS

F1.1-01 FIXTURE PLAN SCALE 1/4" = 1'-0"
F1.1-02 POWER WALL PLATFORM SCALE 1/4" = 1'-0"



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43. That all commercial deliveries to the Property shall be prohibited between the hours of 2:00 p.m. to 6:00 p.m., Mondays through Fridays; and

44. That the Applicant shall submit to the City a traffic flow plan indicating the permitted ingress/egress of all delivery trucks and, that said plan shall be subject to the approval of the Director; the plan shall prohibit all delivery truck access from Atlantic Avenue; all such deliveries shall be made, exclusively, from Gage Avenue and Randolph Street; after approval with such plan, Applicant shall comply with all provisions thereof;

45. That all Conditions of Approval set forth herein, shall be noted on the construction drawings; and

46. That except as provided in Condition No. 47, no use shall be located, commenced or maintained on Parcel No. 3, as shown on the Tentative Parcel Map, marked Exhibit B, without the prior approval of the Agency, to assure compliance with the Plan and to assure compatibility with surrounding and adjacent uses; and

47. That the placement of a retail automotive parts store, as requested by Chief Auto Supply, on Pad 1 of Parcel 3, is hereby approved, subject to the following:

- (a) That representatives of Chief execute the appropriate documents with the Agency formalizing the settlement of all of Chief's claims in the pending condemnation action, Los Angeles Superior Court Case No. C690215, entitled "Bell Redevelopment Agency vs. Agency Douraghi et al.;" and
- (b) That representatives of Chief execute an owner Participation Agreement; and
- (c) that Chief shall submit to the Director for approval a plan for prohibiting the repair or maintenance of motor vehicles by its customers on the Property; and a plan for the recycling of petroleum product; after the Director's approval of such plans, Chief shall comply with all of the provisions thereof; and

48. The Applicant shall submit to the Director for approval, a plan for the "Food Court Plaza", which shall include:

- (a) decorative light fixtures, landscaped planters, potted plants, seating areas, including decorative tables, umbrellas, and chairs; and

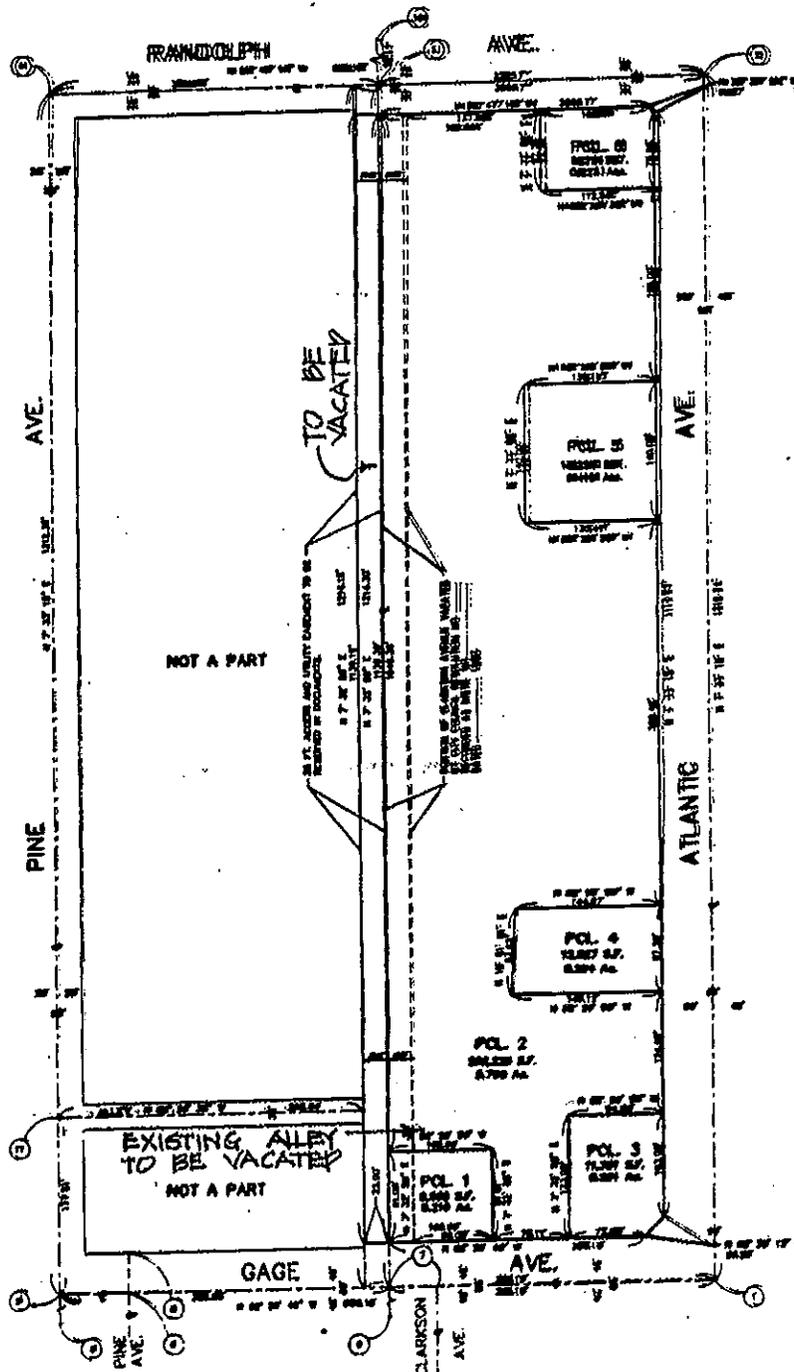
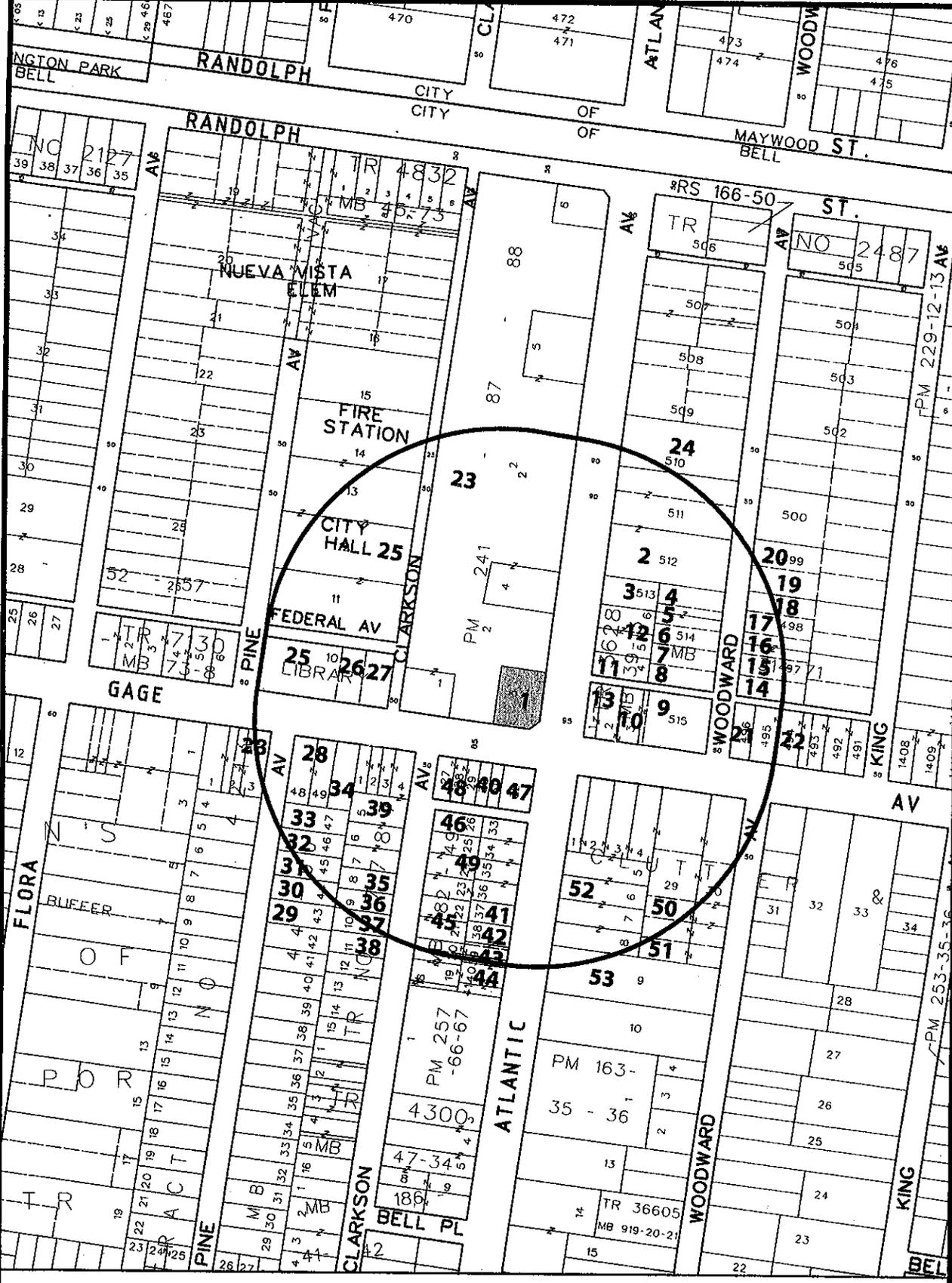


EXHIBIT "B"
 TENTATIVE PARCEL MAP 20500



500 FT. RADIUS MAP

ADDRESS: 6399 S. ATLANTIC AVENUE



Quality Mapping Service

14549 Archwood St. Suite 301
 Van Nuys, California 91405
 Phone (818) 997-7949 - Fax (818) 997-0351
 qmapping@qasqms.com

CASE NO:

DATE: 08-24-11

SCALE: 1" = 200'

QMS 11-145



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RESOLUTION 2011-47

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL FOR CONDITIONAL USE PERMIT 2011-06 TO CONSIDER A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE SALE FOR OFF-PREMISES CONSUMPTION OF BEER AND WINE AT A PROPOSED RETAIL GROCERY LOCATED WITHIN AN EXISTING 4,000 SQUARE FOOT BUILDING ON AN 11,362 SQUARE FOOT LOT. THE SUBJECT PROPERTY IS LOCATED AT 6399 ATLANTIC AVENUE WITHIN THE C-3 ZONING DISTRICT IN BELL, CA.

A. RECITALS

WHEREAS, Fresh & Easy Neighborhood Market (the Applicant”) filed a complete application requesting the approval of Conditional Use Permit 2011-06 described herein (“Application”);

WHEREAS, the Application pertains to an approximate 11,362 square foot property on Los Angeles County Assessor’s parcel number 6317-018-407, more commonly known as 6399 Atlantic Avenue, Bell, California (“Property”);

WHEREAS, the Applicant requests approval of a Conditional Use Permit to allow for Conditional Use Permit 2011-06 to consider a Determination of Public Convenience or Necessity to allow Off-sale of Beer and Wine at a proposed Retail Grocery located within an existing 4,000 square foot building, pursuant to Bell Municipal Code, Chapter 17.96.030.2.c and

WHEREAS, an environmental assessment form was submitted by the Applicant pursuant to pertinent City requirements. Based upon the information received and Staff’s assessment, the project was determined not to have a significant environmental impact on the environment and is categorically exempt from the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 210000 et seq.) and pursuant to Section 15301 of the CEQA guidelines, Title 14, Chapter 3 of the California Code of Regulation; and

WHEREAS, on October 26, 2011, the Planning Commission of the City of Bell conducted a duly noticed Public Hearing on the Application, and all legal pre-requisites to the adoption of this resolution have occurred.

B. RESOLUTION

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

1. All of the facts set forth in the recitals, Part A of this resolution, are true and correct and are incorporated herein by reference.

2. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Bell.
3. Upon independent review and consideration of all pertinent information and the information contained in the Notice of Exemption for the CUP, the Planning Commission hereby finds and determines that the proposed project is exempt from California Environmental Quality Act ("CEQA") (Public Resources Code Section 21000 et seq.) pursuant to the Class 1 categorical exemption in Section 15301(a) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) in that the project involves the occupation of an existing building. The Planning Commission further finds that the proposed project will not result in direct or indirect significant impact on the environment. Accordingly, the Planning Commission adopts the Notice of Exemption and directs the Staff to file the Notice of Exemption as required by law.
4. Based upon substantial evidence presented to this Commission during the October 12, 2011 public hearing, including public testimony and written and oral staff reports, this Commission finds as follows:
 - a) The proposed use is consistent with the project site being that the proposed site plan showed no modifications to the current building except for colored signs and themed painting on the existing building. There will be a tenant improvement for the interior of the store.
 - b) The subject site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use. The subject site is located on Gage Avenue and Atlantic Avenue which are major arterial streets that can handle the current and future generated traffic for this existing facility. Additionally, the site is arranged to provide adequate circulation for ingress and egress from Gage and Atlantic Avenues, effectively eliminating any direct traffic incidents on Atlantic Avenue.
 - c) The location of the proposed use on the site is compatible with existing and proposed uses along the commercial corridor along Atlantic and Gage Avenues. The proposed sale of beer and wine for off-site consumption will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare in that the surrounding area is composed of other similar commercial uses that sell beer and wine.

- d) The conduct of the proposed use is in compliance with the applicable provisions of the general plan of the City of Bell. The proposed use will be promoting economic stability through the provision of an additional service to patrons which will result in the diversification of the commercial base along the Gage and Atlantic Avenue corridors.
- e) The proposed use of the site including the sale of beer and wine for off-site consumption is deemed to be of necessity to the applicant's business plan and part of the desired services offered to the public as a convenience while shopping at the proposed market.

Based upon the foregoing findings, the Planning Commission hereby approves Conditional Use Permit No. 2011-04, subject to the following conditions:

C. CONDITIONS OF APPROVAL

- 1. That the property shall be maintained in accordance with:
 - A. The Applications and Exhibits thereto, "A" through "D" included in this report on file in the office of the Clerk of the City of Bell; and
 - B. All applicable laws, including, but not limited to, Bell Municipal Code and the Bell Zoning Code, Specifically Chapter 17, as the same exist as of the date of approval of this Application or as the same may hereafter be amended; and
 - C. All of the conditions of approval as set forth in this Conditional Use Permit No. 2011-06; and
- 2. That Fresh & Easy Neighborhood Market is the sole holder of this entitlement; and
- 3. That Fresh & Easy Neighborhood Market will operate a retail grocery store as "Fresh & Easy Express Neighborhood Market" only with a valid conditional use permit (CUP No. 2011-06); and
- 4. That the applicant's total yearly alcohol sales shall make up no more than twenty five (25) percent of the establishment's total yearly gross sales;
- 5. That prior to March 1 of each year the establishment shall submit to the City's director of development services yearly financial statements for the prior calendar year, demonstrating compliance with Chapter 17.96, subsection 17.96.030 (2)(c)(iii)(A) along with a fee to be established by the City, to pay for processing of said financial statements;

6. That notwithstanding submittal of a financial statement as provided in Condition No. 6, if in the opinion of the director of development services or his designee a financial audit of the restaurant is necessary to determine compliance under Condition No. 5, the applicant must pay the entire reasonable cost for such audit with the auditor to be selected by the director of development services or his or her designee;
7. That the chief of police has the power to determine if a continuing police problem exists at the restaurant and if he or she determines such, he or she may require that the restaurant pay the actual and reasonable cost for police services used and/or may require the presence of a police-approved doorman and/or security personnel;
8. That any violation of any of the conditions of approval may subject the Conditional Use Permit to the revocation procedures established by Bell Municipal Code Section 17.96.170. Upon recommendation of the director, the body which originally granted the Conditional Use Permit shall conduct a noticed public hearing to determine whether such permit should be revoked;
9. That the Conditional Use Permit conditions shall be placed on the property in a location where employees can easily read the conditions;
10. That all alcoholic beverages sold must be bagged in clear plastic bags. Use of brown paper or other opaque bags or packaging is prohibited;
11. That any increase in the use permitted as a part of this Conditional Use Permit shall be cause to review the Conditional Use Permit pursuant to the modification procedures in Bell Municipal Code Section 17.96.190;
12. That this Conditional Use Permit is subject to annual review by the appropriate City of Bell Departments, including but not limited to Police, Building and Safety, Planning, Public Works, Finance, CAO; and
13. That any violation of any of the conditions of approval shall constitute a revocation of this permit; and
14. That any (i) substantial modification to a building or structure located on the property, or (ii) intensification of use so as to make the parking inadequate, as determined by the Chief Administrative Officer or designee, shall be referred to the Planning Commission for review and approval; and
15. That prior to the issuance of building permits the applicant will submit two sets of plans to the department of building and safety for plan check review and shall obtain approval of such plans by all agencies pertinent to the project proposal; and

16. That all conditions of approval, as requested in writing by the Los Angeles County Fire Department, the Los Angeles County Health Department, and in compliance with the 2010 California Building Code, regarding but not limited to hazardous/flammable storage of chemicals and/or materials, access, fire flow, and maximum occupancy requirements for the property shall be complied with or guaranteed prior to the issuance of building permits for improvements of the property; and
17. That any graffiti placed on any building or structure located on the property shall be removed promptly after its placement; failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work; and
18. That no vehicles (commercial or otherwise) shall be:
 - i. Parked on the property except in marked parking spaces; and
 - ii. Parked on the property unless owned and operated by patrons and/or employees of the building; and
 - iii. Parked overnight; and
19. That all textures, materials, and colors utilized on exterior elevations of the building are subject to review by the City of Bell Architectural Review Board and/or Planning Commission; and
20. That the Applicant guarantees that there will be no deviation from the approved number of parking spaces, including reserved parking, compact parking, loading spaces, car and vanpool parking and any other ancillary forms of parking provided, and that the project will at all times conform to the parking plan indicated in Exhibit "C" to the Agenda Report accompanying this Resolution; and
21. That the applicant agrees to maintain proper lighting on the property that promotes a secure and safe environment; and
22. That the Applicant agrees that all tenant improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2010 California Building Code; and
23. That there shall be no public telephones located on the property except within an enclosed building. Building as used herein shall not include telephone booths; and

24. That all trash enclosures shall be maintained in accordance with the standards of the City and shall be architecturally compatible with principal structures, shall be located in a manner that will not impede vehicular motion on the property, and shall conform to the site plan attached as Exhibit "C" to the Agenda Report accompanying this Resolution; and
25. That any signage shall require that a signage plan be submitted separately and approved by the Architectural Review Board, pursuant to the provisions outlined in the Bell Zoning Code; and
26. That the applicant and each of his agents, contractors, and subcontractors engaged in construction activities on the property shall obtain proper business and contractor's licenses from the City of Bell; and
27. Applicant, agrees to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) building surfaces and structures shall be painted and kept in good repair; (ii) signs shall be maintained in a first class condition of repair; (iii) sweeping and trash removal shall be performed regularly; (iv) shrubbery, plantings, and other landscaping shall be cared for and kept in a healthy condition, and replaced as needed; and (v) asphalt or concrete paving shall be repaired, replaced and restriped using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition; and
28. That all commercial deliveries to the Property shall be prohibited between the hours of 2:00 p.m. to 6:00 p.m., Mondays through Fridays; and
29. Applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office and that copies of said licenses and certifications shall be maintained on file with the City of Bell; and
30. That the Applicant or a representative shall execute an Affidavit indicating that he/she is aware of all of the terms and accepts all the conditions imposed upon this Conditional Use Permit; and
31. That the applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the applicant of any such

claim, action or proceeding against the City of bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

- D. That the City of Bell Clerk shall certify the adoption of this Resolution and shall forward a copy of this Resolution to Fresh & Easy Neighborhood Market.**

ADOPTED this 26th Day of October, 2011

Mayor

ATTEST:

Rebecca Valdez, CMC
City Clerk

I CERTIFY that the foregoing Resolution No. 2011-47 was adopted by the Planning Commission of the City of Bell at a regular meeting thereof held on the 26th day of October, 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rebecca Valdez, CMC
City Clerk