City Council Agenda

Special Meeting

Bell City Council

Wednesday, March 14, 2012

6:00 PM

Bell Community Center
6250 Pine Avenue

Ali Saleh
Mayor

Danny Harber
Vice Mayor

Violeta Alvarez
Council Member

Ana Maria Quintana
Council Member

Nestor E. Valencia
Council Member

Welcome to the City Council Meeting

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

City Council Organization

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

Addressing the City Council

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

Compliance with Americans with Disabilities Act

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

Statement Regarding Compensation for Members of the Bell City Council

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

Special Meeting of
Bell City Council

6:00 P.M.

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Special Meeting of
Bell City Council

March 14, 2012

6:00 P.M.

Bell Community Center
6250 Pine Avenue

Call to Order

Roll Call of the City Council in their capacities as Councilmembers: Alvarez, Quintana, Valencia, Harber, Saleh

Presentation – Proclamation to Dave Bass in recognition of his exemplary service to the City of Bell

Communications from the Public on Closed Session Item

This is the time for members of the public to address the City Council only on the item that is listed on the Closed Session Calendar

Closed session

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

   a.) CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54956.6. (Bell Police Officers Association MOU Negotiations)

City Attorney Report

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

Pledge of Allegiance to the Flag.

Communications from the Public on Agenda Items Only

This is the time for members of the public to address the City Council only on items that are listed on the Agenda.

Agenda

2. Budget Policies - **continued from the Special Meeting of February 22, 2012**

   Recommendation: Conceptually approve the Proposed Budget Policies in guiding preparation of the preliminary budget, with final adoption in June 2012 in conjunction with approval of the 2012-13 Budget.

3. Consideration of establishing a Local Advisory Committee for the I-710 Freeway Corridor Project - continued **from the Regular Meeting of March 7, 2012**

Recommendation: The City Council approve the following items:

(a) Establish a 5-member Local Advisory Committee.
(b) Appoint five community members where two members are from the Bell business community and 3 members are Bell residents.
(c) Direct staff to proceed with advertising the call for committee members in local newspaper, the city's website, Chamber of Commerce, and direct mailings to the interest list.
(d) Establish a deadline for application on March 23, 2012.
(e) Request the Gateway Cities Council of Government to supply staff support for the Bell Local Advisory Committee.

4. Review of New City of Bell Logo - ***continued*** **from the Regular Meeting of March 7, 2012**

Recommendation: That the City Council:

(a) Direct staff to add color options to the proposed four concepts; and

(b) Display the colorized versions on the City of Bell website to solicit public opinion via Survey Monkey, an online survey method, for a one-week period prior to the upcoming March 21, 2012 Council Meeting, at which time the Council would select a new logo design.

5. Addendum No. 2 to City of Bell and Oldtimers Foundation Agreement for Paratransit Services for Bell Residents - ***Continued*** **from the Regular Meeting of March 7, 2012**

Recommendation: Approve the attached Addendum No. 2 to the City of Bell and Oldtimers Foundations' Agreement that authorizes the provision of Paratransit Services for the period beginning on July 1, 2010 through to such time the City completes the bid process for continuation of services and the chosen provider

6. Review of Draft City Council and Expense Reimbursement Policies/Procedures

Recommendation: Provide comments and direction to staff on the Draft Council and Expense reimbursement Policies and Procedures

Adjournment

Next Regular Meeting, Wednesday, March 21, 2012.

I, Patricia Healy, CMC, Interim City Clerk of the City of Bell, certify that a true, accurate copy of the foregoing agenda was posted on March 9, 2012 at least twenty-four hours prior to the meeting as required by law.

Patricia Healy, CMC
Interim City Clerk

Council Agenda Report

February 22, 2012

TO: City Council

FROM: Arne Croce, Interim City Administrative Officer
Bill Statler, Pro Bono Budget Advisor

SUBJECT: BUDGET AND FISCAL POLICIES

RECOMMENDATION

Conceptually approve the proposed *Budget and Fiscal Policies* in guiding preparation of the Preliminary Budget, with final adoption in June 2012 in conjunction with approval of the 2012-13 Budget.

DISCUSSION

Background

As discussed on November 9, 2011 when the Council approved the budget process for 2012-13, clearly articulated budget and fiscal policies provide an essential foundation for effective financial decision-making and in protecting the City's fiscal health.

The City's fiscal health is a lot like personal health: it isn't what you live for; but it is hard to enjoy your life without it. Cities don't exist to be fiscally healthy: they exist to make communities better places to live, work and play. However, this requires the fiscal capacity to link community goals with the resources needed to achieve them. In short, fiscal health is not an end in itself; but it is an important part of the tool kit in achieving "ends."

And like personal health, fiscal health is rarely luck. The strength of the local economy is obviously an important fiscal health factor – just as genes are in personal health. However, regardless of the strength of its local economy, no agency is immune from economic downturns or unexpected expenditure needs.

Formal statements of key budget and fiscal policies provide the foundation for assuring long-term fiscal health by establishing a clear framework for effective and prudent financial decision-making.

For this reason, clearly articulated policies are a city's "north star" in guiding the preparation and implementation of budgets and financial plans. They help make tough decisions easier by stating an organization's values before they are placed under stress by adverse circumstances. The organization might still choose to do something different – effective policies are guides, not straightjackets – but they are a powerful starting point: *but for "this," the organization should do what?*

Stated simply, articulating and then following prudent fiscal policies is the most effective and proven way for government agencies to ensure their long-term fiscal health. They are both preventative and curative: clearly articulated policies help prevent problems from arising in the good times; and help respond to bad times when they do occur. They also help provide continuity as elected officials and staff change. Lastly, they are most powerful when it put in place before the need for them arrives.

In summary, adopting key fiscal policies is an essential factor for effective stewardship of the City's resources, both in the short and long-term. Based on "best practices" recommended by professional organizations like the Governments Finance Officers Association of the United States and Canada (GFOA) and the California Society of Municipal Finance Officers (CSMFO) as well as the major credit rating agencies, fiscal policy areas that the City will want to address include:

- Budget purpose and organization (including a balanced budget policy and what this means)
- Revenue management
- User fee cost recovery: when should user fees fund services versus general purpose revenues?
- Minimum fund balance and reserves
- Financial reporting and budget administration
- Investments
- Appropriations limit
- Capital improvement plan (CIP) management
- Capital financing and debt management
- Human resources management
- Productivity
- Contracting for services

Proposed Budget Policies

"One size does not fit all" in setting fiscal policies Careful consideration needs to be given in developing policies that are appropriate given the unique circumstances of each city. Fully addressing all of the areas noted above is planned in the coming year. However, in preparing for the next fiscal year, attached are six *Budget and Fiscal Policies* that we recommend focusing on at this time:

- Budget purpose and organization
- Revenue management
- User fee cost recovery
- Minimum fund balance and reserves
- Financial reporting and budget administration
- Contracting for services

Each of these will provide an important foundation and guidance for staff preparation of the Preliminary Budget for 2012-13, as well for the Council's review of it at the workshops and hearings that follow will its issuance by May 25, 2012.

In considering the proposed *Budget and Fiscal Policies*, it is important to note that in several cases, the City may not have yet achieved the policy goal – and it may take more than one year do so. Even so, it is important to articulate the goal: clearly stating where the City wants to be (versus where it may be today) will significantly enhance the City's ability to achieve it. For this reason, each policy area is followed by a brief summary of "compliance status." Where the City has not yet achieved the goal, a status summary on the City's progress in doing so is provided.

Minimum Fund Balance and Reserves

While each of the policy areas speak for themselves, minimum fund balance is an especially important policy in determining the City's ability to respond to unexpected fiscal hardships such as local disasters, downturns in the economy, external revenue hits like (State budget takeaways) and unforeseen operating or capital needs.

The proposed policy sets the City's policy goal for minimum General Fund balance at 25% of operating expenditures. This target was developed based on the City's fiscal circumstances using a draft methodology under preparation by the Government Finance Officers Association of the United State and Canada (GFOA). It uses a structured assessment of a city's exposure to the following eight fiscal risks:

1. **Vulnerability to extreme events and public safety concerns.** Major extreme events the community could reasonably be subject to and the likelihood and potential magnitude of loss for each event.

2. **Revenue source stability.** Volatility of each major revenue source based on factors such as past experience and trends with that revenue, characteristics of the tax or rate payers, state or federal revenue takeaways and economic factors.

3. **Expenditure volatility.** Spikes in expenditures, usually arising from special, non-recurring circumstances such as lawsuits; critical special projects without a funding source; or new state or federal spending requirements and unfunded mandates.

4. **Leverage.** Common examples include pensions, unfunded asset maintenance and debt: is the source of leverage very large? Does it have an off-setting funding source or asset?

5. **Liquidity (cash flow).** Intra-period cash imbalances, such as property taxes that are only received at one or two points during the year.

6. **Other funds.** Are there other funds that have a significant dependence on the General Fund?

7. **Growth.** This factor is only relevant if significant growth is a realistic possibility in the next three to five years. Includes assessing likely potential marginal costs associated with serving new growth compared with marginal revenues, and resulting gaps.

8. **Capital projects.** Are there high priority projects without a funding source, where reserves may be looked to as a funding source?

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Depending on the results of this assessment, the GFOA methodology provides recommended targets ranging from a minimum of 17% of expenditures (60 days cash flow) to circumstances where more than 35% might be warranted. Based on this structured assessment methodology relative to the City's fiscal situation, a target of 25% of operating expenditures is recommended, which represents 90 days of cash flow.

This compares with the City's existing circumstances, where reserves at the end of the current fiscal year are projected to be 12% of operating expenditures. Given the fiscal challenges facing the City, it is not reasonable to achieve this goal in the coming year: doing so will need to be a multi-year process.

In addressing this circumstance now and in the future, the proposed policy recommends that whenever the City's General Fund reserves fall below this target, the City will strive to restore reserves to this level within five years. As revenues versus expenditures improve, the City will allocate about half to reserve restoration, with the balance available to fund outstanding liabilities, asset replacements, service levels restoration, new operating programs or capital improvement projects.

Circumstances where taking reserves below policy levels would be appropriate include responding to the risks that reserves are intended to mitigate, such as:

- One-time uses in meeting cash flow needs; closing a projected short term revenue-expenditure gap; responding to unexpected expenditure requirements or revenue shortfalls; and making investments in human resources, technology, liability reductions, economic development and revenue base improvements, productivity improvements and other strategies that will strengthen City revenues or reduce future costs.

- And where a fiscal forecast shows an ongoing structural gap, in providing a strategic bridge to the future.

Next Steps

If conceptually approved by the Council at this time, staff will use these principles – in concert with the Major City Goals set by the Council for the coming year – as the foundation in guiding preparation of the Preliminary Budget for 2012-13. Final adoption of the policies will occur in June 2012 in conjunction with approval of the 2012-13 Budget. For future reference, the City's *Budget and Fiscal Policies* will be included the budget document (as will any future additions or revisions).

ATTACHMENT

Budget and Fiscal Policies

Budget and Fiscal Policies

BUDGET PURPOSE AND ORGANIZATION

A. **Balanced Budget.** The City will maintain a balanced budget. This means that:

1. Operating revenues must fully cover operating expenditures, including debt service.
2. Ending fund balance must meet minimum policy levels or other target levels established by the Council for the fiscal year.

Under this policy, it is allowable for total expenditures to exceed revenues in a given year; however, in this situation, beginning fund balance should only be used to fund capital improvement plan projects or other "one-time," non-recurring expenditures. (See *Fund Balance and Reserves* policy for other circumstances when it would be appropriate to use beginning fund balance.)

B. **Council Goal-Setting, Transparency and Meaningful Community Engagement in the Budget Process.** The Council will set goals for the coming year early in the budget process that provides transparent and clear policy direction in linking goals with resources. The community will be provided with meaningful opportunities to be engaged in the goal-setting and budget process.

C. **Budget Objectives.** Through its Budget, the City will link resources with goals and results by:

1. Identifying community needs for essential services.
2. Organizing the programs required to provide these essential services.
3. Establishing program policies and goals, which define the nature and level of program services required.
4. Identifying activities performed in delivering program services.
5. Proposing objectives for improving the delivery of program services.
6. Identifying and appropriating the resources required to perform program activities and accomplish program objectives.
7. Setting standards to measure and evaluate the:
   a. Output of program activities.
   b. Accomplishment of program objectives.
   c. Expenditure of program appropriations.

D. **Measurable Objectives.** The Budget will establish measurable program objectives and allow reasonable time to accomplish those objectives.

E. **Goal Status Reports.** The status of major program objectives will be formally reported to the Council on an ongoing, periodic basis.

F. **Mid-Year Budget Reviews.** The Council will formally review the City's fiscal condition, and amend appropriations if necessary, six months after the beginning of each fiscal year.

Status: In Compliance. *These practices are either in place or the Council has adopted a budget process for 2012-13 that meets these policy objectives. However, as noted in the November 2011 report to the*

Council on the proposed budget process for 2012-13, linking resources to outcomes and measuring performance will always be a work in progress, with ongoing improvements.

GENERAL REVENUE MANAGEMENT

A. Current Revenues for Current Uses; One-Time Revenues for One-Time Purposes. The City will make all current expenditures with current revenues, avoiding procedures that balance current budgets by postponing needed expenditures, accruing future revenues or rolling over short-term debt. The City will avoid using one-time revenues to fund ongoing program costs.

B. Revenue Distribution. The Council recognizes that generally accepted accounting principles for state and local governments discourage the "earmarking" of General Fund revenues, and accordingly, the practice of designating General Fund revenues for specific programs should be minimized in the City's management of its fiscal affairs. In those cases where it does occur, the basis and methodology for earmarking should be clearly articulated in the City's Budget and Fiscal Policies.

C. Special Tax and Assessment Levies. The City will seek to lower special tax rates and assessments whenever possible through expenditure reductions and other cost containment strategies. However, the City will not use General Fund resources to subsidize reductions in allowable levies in the General Obligation Bond Fund, Retirement Fund, Assessment Districts or other similar funds.

Status: In Compliance. *These practices are either in place or the Council has adopted a budget process for 2012-13 that meets these policy objectives.*

USER FEE COST RECOVERY

A. Ongoing Review

Fees should be reviewed and updated on an ongoing basis to ensure that they keep pace with changes in the cost-of-living as well as changes in methods or levels of service delivery. In implementing this goal, a comprehensive analysis of City costs and fees should be made at least every five years. In the interim, fees will be adjusted by annual changes in the Consumer Price Index as well whenever there have been significant changes in the method, level or cost of service delivery.

B. User Fee Cost Recovery Levels

The following factors will be considered in setting user fees and cost recovery levels,

1. ***Community-Wide Versus Special Benefit.*** The level of user fee cost recovery should consider the *community-wide* versus *special service* nature of the program or activity. The use of general-purpose revenues is appropriate for community-wide services, while user fees are appropriate for services that are of special benefit to easily identified individuals or groups.

2. ***Service Recipient Versus Service Driver.*** Cost recovery goals should also consider the concept of *service recipient* versus *service driver*. For example, it could be argued that the applicant is not the beneficiary of the City's development review efforts – the community is the primary beneficiary. However, the applicant is the *driver* of development review costs, and as such, cost recovery from the applicant is appropriate.

3. ***Effect of Pricing on the Demand for Services.*** The level of cost recovery and related pricing of services can significantly affect the demand and subsequent level of services provided. At full cost recovery, this has the specific advantage of ensuring that the City is providing services for which there is genuinely a market that is not overly-stimulated by artificially low prices.

Conversely, high levels of cost recovery will negatively impact the delivery of services to lower income groups. This negative feature is especially pronounced, and works against public policy, if the services are specifically targeted to low income groups.

4. ***Feasibility of Collection and Recovery.*** Although it may be determined that a high level of cost recovery may be appropriate for specific services, it may be impractical or too costly to establish a system to identify and charge the user.

C. **Factors Favoring Low Cost Recovery Levels**

1. There is *no* intended relationship between the amount paid and the benefit received. Almost all "social service" programs fall into this category as it is *expected* that one group will subsidize another.
2. Collecting fees is not cost-effective or will significantly impact the efficient delivery of the service.
3. There is *no* intent to limit the use of the service. Again, most "social service" programs fit into this category as well as parks and many public safety (police and fire) emergency response services.
4. Collecting fees would discourage compliance with regulatory requirements and adherence is primarily self-identified, and as such, failure to comply would not be readily detected by the City. Many small-scale licenses and permits might fall into this category.

D. **Factors Favoring High Cost Recovery Levels**

1. The service is similar to services provided through the private sector.
2. Other private or public sector alternatives could or do exist for the delivery of the service.
3. For equity or demand management purposes, it is intended that there be a direct relationship between the amount paid and the level and cost of the service received.
4. The use of the service is specifically discouraged. Police responses to disturbances or false alarms might fall into this category.
5. The service is regulatory in nature and voluntary compliance is not expected to be the primary method of detecting failure to meet regulatory requirements. Building permit, plan check and subdivision review fees for large projects would fall into this category.

E. **General Concepts Regarding the Use of Service Charges**

1. Revenues should not exceed the reasonable cost of providing the service.
2. Cost recovery goals should be based on the total cost of delivering the service, including direct costs, departmental administration costs and organization-wide support costs.
3. The method of assessing and collecting fees should be as simple as possible in order to reduce the administrative cost of collection.
4. A unified approach should be used in determining cost recovery levels for various programs based on the factors discussed above.

F. **Low Cost-Recovery Services**

Based on the criteria discussed above, the following types of services should have very low cost recovery goals, although in selected circumstances, there may be specific activities within the broad scope of services provided that should have user charges associated with them.

1. Delivering public safety emergency response services such as police patrol services.
2. Maintaining and developing public facilities that are provided on a uniform, community-wide basis such as streets, parks and general-purpose buildings.
3. Providing social service programs and economic development activities.

G. **Recreation Programs**

1. Cost recovery for activities directed to adults should be relatively high.
2. Cost recovery for activities directed to youth and seniors should be relatively low. In those circumstances where services are similar to those provided in the private sector, cost recovery levels should be higher.
3. For cost recovery activities of less than 100%, there should generally be a differential in rates between residents and non-residents. However, the Community Services Director is authorized to reduce or eliminate non-resident fee differentials when this is reducing attendance and thus cost recovery and there are no appreciable expenditure savings from the reduced attendance.
4. The Community Services Director is authorized to offer reduced fees such as introductory rates, family discounts and coupon discounts on a pilot basis (not to exceed 18 months) to promote new recreation programs or reenergize existing ones .

H. **Development Review Programs**

Cost recovery for planning, building and safety (building permits, structural plan checks, inspections) and engineering (public improvement plan checks, inspections, subdivision requirements, encroachments) services should be very high: in most instances, it should be 100%.

I. **Comparability With Other Communities**

Surveys of fees charged by other comparable agencies should not be the sole or primary criteria in setting City fees. As outlined below, there are many factors that affect how and why other communities have set their fees at their levels. Accordingly, comparability of Bell's fees to other communities should be one factor among many that is considered in setting City fees.

1. What level of cost recovery is their fee intended to achieve compared with Bell's cost recovery objectives?
2. What costs have been considered in computing the fees?
3. When was the last time that their fees were comprehensively evaluated?
4. What level of service do they provide compared with our service or performance standards?
5. Is their rate structure significantly different than ours and what is it intended to achieve?

Status: In Progress. *The City has not prepared a comprehensive analysis of its user fees. Doing so will require significant resources and may not be possible in the coming year. However, focused reviews in areas where a compelling need is identified will be presented to the Council.*

FUND BALANCE AND RESERVES

A. **General Fund Minimum Balance.** The City will strive to maintain a minimum unassigned fund balance of at least 25% of operating expenditures in the General Fund. This represents 90 days of cash flow and is based on the GFOA's draft methodology for setting reserve levels in adequately providing for:

1. Economic uncertainties, local disasters and other financial hardships or downturns in the local or national economy.
2. Contingencies for unseen operating or capital needs.
3. Unfunded liabilities such as self-insurance, pensions and retiree health obligations.
4. Institutional changes, such as State budget takeaways and unfunded mandates.
5. Cash flow requirements.

Whenever the City's General Fund reserves fall below this target, the City will strive to restore reserves to this level within five years. As revenues versus expenditures improve, the City will allocate about half to reserve restoration, with the balance available to fund outstanding liabilities, asset replacements, service levels restoration, new operating programs or capital improvement projects.

Circumstances where taking reserves below policy levels would be appropriate include responding to the risks that reserves are intended to mitigate, such as:

- One-time uses in meeting cash flow needs; closing a projected short term revenue-expenditure gap; responding to unexpected expenditure requirements or revenue shortfalls; and making investments in human resources, technology, liability reductions, economic development and revenue base improvements, productivity improvements and other strategies that will strengthen City revenues or reduce future costs.
- Where a forecast shows an ongoing structural gap, in providing a strategic bridge to the future.

B. **Facilities, Equipment, Fleet and Infrastructure Replacement.** The City will establish an Asset Replacement Fund and strive to set annually aside funds to provide for the timely replacement of long-lived capital assets such as facilities, equipment, vehicles and infrastructure. The annual contribution to this fund will generally be based on the annual use allowance or depreciation, which is determined based on the estimated life of the asset vehicle or equipment and its original purchase cost. Interest earnings and sales of surplus equipment as well as any related damage and insurance recoveries will be credited to this fund.

C. **Future Capital Project Fund Balance Assignments.** The Council may assign specific fund balance levels for future development of capital projects or other long-term goals that it has determined to be in the best interests of the City.

D. **Other Commitments and Assignments.** In addition to the assignments noted above, fund balance levels will be sufficient to meet funding requirements for projects approved in prior years which are carried forward into the new year; debt service reserve requirements; commitments for encumbrances; and other reserves, commitments or assignments required by contractual obligations, state law or generally accepted accounting principles.

Status: In Progress. *The City currently has reserves of about 12% of General Fund expenditures; and no funds have been set aside for asset replacement. Achieving this goal is likely to be a multi-year endeavor.*

FINANCIAL REPORTING AND BUDGET ADMINISTRATION

A. **Annual Reporting.** The City will prepare annual financial statements as follows:

1. In accordance with Charter requirements, the City will contract for an annual audit by a qualified independent certified public accountant. The City will strive for an unqualified auditors' opinion.
2. The City will use generally accepted accounting principles in preparing its annual financial statements and will strive to meet the requirements of the Award for Excellence in Financial Reporting program of the Government Finance Officers Association of the United States and Canada (GFOA).
3. The City will issue audited financial statements within 180 days after year-end.

B. **Interim Reporting.** The City will prepare and issue timely interim reports on the City's fiscal status to the Council and staff. This includes on-line access to the City's financial management system; monthly reports to program managers; more formal quarterly reports to the Council and Department Heads; mid-year budget reviews; and interim annual reports.

C. **Budget Administration.** As set forth in the City Charter, the Council may amend or supplement the budget at any time after its adoption by majority vote of the Council members. Council approval is required for all new appropriations from fund balance. The City Manager has the authority to make administrative adjustments to the budget as long as those changes will not have a significant policy impact nor affect budgeted year-end fund balances.

Status: In Progress. *The City has not issued audited financial statements since 2009. The City has contracted with Macias Gini & O'Connell for the preparation of an independent audit for the fiscal years ending 2010, 2011 and 2012. Since more than 180 days have lapsed since the end of the last two completed fiscal years, it will not be possible to present these reports to the GFOA's Award for Excellence in Financial Reporting program. However, the City will strive to submit its comprehensive annual financial report for 2011-12 to the GFOA. The City is also making progress in improving interim financial reporting. For example, the Council will receive its first mid-year budget review in February 2012. However, the City's current financial management information system is limited in its ability to provide timely information and on-line access to City staff. An evaluation of ways to improve the City's financial reporting is currently underway.*

CONTRACTING FOR SERVICES

A. **General Policy Guidelines**

1. Contracting with the private sector or other public agencies for the delivery of services provides the City with a significant opportunity for cost containment and productivity enhancements. As such, the City is committed to using private sector resources or partnering with other public agencies in delivering municipal services as a key element in its continuing efforts to provide cost-effective programs.
2. Contracting approaches under this policy include construction projects, professional services, outside employment agencies and ongoing operating and maintenance services.
3. In evaluating the costs of private sector or other public agency contracts compared with in-house performance of the service, indirect, direct, and contract administration costs of the City will be identified and considered.

4. Whenever private sector or other public agency providers are available and can meet established service levels, they will be seriously considered as viable service delivery alternatives using the evaluation criteria outlined below.
5. For programs and activities currently provided by City employees, conversions to contract services will generally be made through attrition, reassignment or absorption by the contractor.

B. **Evaluation Criteria**

Within the general policy guidelines stated above, the cost-effectiveness of contract services in meeting established service levels will be determined on a case-by-case basis using the following criteria:

1. Is a sufficient private or public sector market available to competitively deliver this service and assure a reasonable range of alternative service providers?
2. Can the contract be effectively and efficiently administered?
3. What are the consequences if the contractor fails to perform, and can the contract reasonably be written to compensate the City for any such damages?
4. Can a private sector contractor or other public agency better respond to expansions, contractions or special requirements of the service?
5. Can the work scope be sufficiently defined to ensure that competing proposals can be fairly and fully evaluated, as well as the contractor's performance after bid award?
6. Does the use of contract services provide the City with an opportunity to redefine service levels?
7. Will the contract limit the City's ability to deliver emergency or other high priority services?
8. Overall, can the City successfully delegate the performance of the service but still retain accountability and responsibility for its delivery?

Status: In Compliance. *These practices are either in place or the Council has adopted a budget process for 2012-13 that meets these policy objectives.*

City of Bell
Agenda Report

DATE: March 7, 2012

TO: Mayor and Members of the City Council

FROM: Nancy Fong, AICP, Interim Community Development Director

APPROVED BY: Arne Croce, Interim City Manager

SUBJECT: Consideration of establishing a Local Advisory Committee for the I-710 Freeway Corridor Project

RECOMMENDATION:

The City Council approve the following items by minute order

1. Establish a 5-member Local Advisory Committee.
2. Appoint five community members where two members are from the Bell business community and 3 members are Bell residents.
3. Direct staff to proceed with advertising the call for committee members in local newspaper, the city's website, Chamber of Commerce, and direct mailings to the interest list.
4. Establish a deadline for application on March 23, 2012.
5. Request the Gateway Cities Council of Government to supply staff support for the Bell Local Advisory Committee.

BACKGROUND:

A. A Brief History of I-710 Corridor Study/Project.

The I-710 Corridor Study began in 2001. Its goals were to develop a comprehensive strategy to improve travel conditions on I-710 between the Ports of Long Beach and Los Angeles and State Route 60, a distance of 18 miles. The I-710 Corridor Study is jointly undertaken by the Gateway Cities Council of Government (COG), the Los Angeles County Metropolitan Transportation Authority (MTA), The California Department of Transportation (CALTRANS) and the Southern California Association of Government (SCAG). The Corridor Study is a minimum 15 to 20 year program.

In 2003, The I-710 Corridor Study released the 5 proposed alternatives (solutions) for the public evaluation. Members of the communities along the corridor had expressed serious concerns with the 5 proposed alternatives. Subsequently, the Oversight Policy Committee (OPC) had made the determination that none of the 5 proposed alternatives developed and analyzed was acceptable to the communities. The Oversight Policy Committee consisted of elected officials from participating cities and agencies representatives. The Oversight Policy Committee directed the Project Team to develop hybrid alternatives that would combine appropriate

elements from all 5 original proposed alternatives. The Oversight Policy Committee and Metro then conducted another round of community outreach that led to the establishment of Corridor Advisory Committees and Local Advisory Committees to advise the Oversight Policy Committee on the Corridor Study decisions. The Oversight Policy Committee established 5 Guiding Principles for the Hybrid Alternative studies as follows:

1. Minimize right-of-way acquisitions with the objective being to preserve existing houses, businesses and open spaces.
2. Identify and minimize both immediate and cumulative exposure to air toxics and pollution with aggressive advocacy and implementation of diesel emissions reduction programs and use of alternative fuels, as well as in project planning and design.
3. Improve safety by considering enhanced truck safety inspection facilities and reduced truck/car conflicts and improved roadway design.
4. Relieve congestion and reduce intrusion of traffic into communities and neighborhoods by employing a comprehensive regional systems approach that includes adding needed capacity as well as deploying Transportation Systems Management (TSM) and Transportation Demand Management (TDM) technologies to make full use of freeway, roadway, rail and transit systems.
5. Improve public participation in the development and consideration of alternatives and provide technical assistance to facilitate effective public participation.

In 2005, after an extensive technical and community participation process, Metro adopted the Final Report for the I-710 Corridor Study. Also, Metro had directed their technical staff to incorporate the Locally Preferred Strategy (LPS) based on a "mini study" at the northern end of the I-710 Corridor Study, specifically the I-710 and I-5 connections and the Atlantic/Bandini Boulevard Interchange.

In June 2006, The MTA Board authorized initiation of the Environmental Impact Report/Environmental Impact Statement. In 2008, Metro began and continue to develop the Environment Impact Report/Environmental Impact Statement while at the same time conducted scoping meetings to engage the corridor communities through the various advisory committees and stakeholders groups in the environmental review process. In March of 2010, the first administrative draft of the Environment Impact Report/Environmental Impact Statement (an internal document) was released for communities and stakeholders groups review. As a result of communities and stakeholders feedback, Metro had determined that additional studies and analyses would be needed to address the feedback. Metro anticipates that the Draft Environment Impact Report/Environmental Impact Statement may be ready for public review in April or May of this year.

B. A Brief History on Bell Local Advisory Committee.

After Metro released the I-710 Corridor Study in 2003, many gateway cities formed their Local Advisory Committees. Sometime in 2004, the City of Bell established their own Local Advisory Committee, which reviewed the proposed I-710 Corridor Study and provided feedback to Metro. The Final Draft I-710 Corridor Study adopted by Metro included Bell Local Advisory Committee written feedback and comments to Metro that was dated August 2004. Between 2005 and 2008, staff did not find any record of activity from the Bell Local Advisory Committee. Between 2008 and 2009, the Bell Local Advisory Committee had several meetings, specifically on August 27 and October 14, 2008, and November 16, 2009, where minutes of the meetings were taken. The Bell Local Advisory Committee has become dormant since there has been minimial, if any, activity, since then.

Councilmember Ana Maria Quintana was appointed to serve on the I-710 EIR/EIS Project Committee by the Mayor on May 11, 2011. Through attendance at these meetings, Councilmember Quintana realized that the City of Bell has been severely underrepresented in the discussion of the I-710 Corridor. In order to inform the council and the community as to the development of the I-710 Corridor, she and staff arranged a presentation on Saturday, October 26, 2011 whereby Metro and its staff provided background history and an update on its current status. Councilmember Quintana and the City Council believe there is great value in forming a new Local Advisory Committee to monitor the status of the freeway project, review the project design and to provide feedback to the designated Bell representative, and subsequently, to Metro on local preferences and concerns. .

On January 7, 2012, the City hosted a Town Hall meeting for the community. Representatives from Metro and their public outreach consultant, MIG, presented the project design and the status of the project to the community. The intention of forming a Local Advisory Committee was formally introduced at this time. The council is ready to proceed with the selection process.

DISCUSSION:

Bell Local Advisory Committee (LAC).

An objective of Metro is to engage the community members and stakeholders in developing strategies to improve air quality, mobility and quality of life. Given the numerous cities along the Corridor, Metro determined that the best way to achieve this objective is to establish a formal process in the flow of information from the Project Team to the community and stakeholders groups and to the Policymaking groups. Community/Stakeholders groups would be a Local Advisory Committee. Its purpose is to represent the residents and business owners in their respective communities.

To set up the Local Advisory Committee, there are several steps that the City Council would need to make decisions and they are as follows:

- Members in the Committee and its composition. The number of members in the committee varies among the gateway cities. Most cities fall on a five-member or a seven-member committee. Given that Bell is a small community, staff recommends a five-member committee. To ensure a broad spectrum of community members and business owners interests, staff recommends that the membership composition should include two members from the Bell business community and three members from the Bell residents. Once the Local Advisory Committee is formed, the committee will select one of its members to serve on the Corridor Advisory Committee. The Corridor Advisory Committee is a higher level in the stakeholder groups and consisted of mostly chairperson of the gateway cities Local Advisory Committee. Its purpose is to make recommendations to the Project Committee (Policymaking Group).

- Selection Process. Staff has prepared an application form and a flyer generally describing the purpose and the duties of the Local Advisory Committee and will send the application to the interest list. Additionally, staff will advertise the availability to serve on the Local Advisory Committee via the Bell Business Association, Chamber of Commerce, the Bell Residents' Club, BASTA, local newspaper and the City's website. After the deadline to submit the application to serve on Local Advisory Committee, staff will forward the applicants to the City Council for selection of the chairperson and the committee members at a council meeting.

- Meeting Schedule and Attendance Policy. Since the adoption of the Final Draft I-710 Corridor Study by Metro in 2005, there have been a flood of additional information on the I-710 Corridor Project Design. The newly formed Bell Local Advisory Committee will be in a catch up mode to learn about the I-710 Corridor Project Design. As a result, staff recommends that the Local Advisory Committee meets monthly. Staff anticipates the draft Environmental Impact Report/Environmental Impact Statement may be available for public review around April or May 2012. At that time, the Local Advisory Committee will have to invigorate their efforts to review the report and forward the comments and recommendations to the City Council.

- Role and Duties of the Committee Members. The primary role of the Local Advisory Committee is to review the I-710 Corridor Project Design and provide meaningful insight and participation in the process that ultimately ensures the City Council and the community are provided with information to make the most informed decision. Secondary, as the I-710 Corridor Project Design moves forward, the Local Advisory Committee monitors its progress to ensure that it is consistent with the earlier efforts and studies done for the Project. The Oversight Policy Committee (OPC) had issued two papers on the subject of a Local Advisory Committee. One paper outlines the purpose and charge for Local Advisory Committee and the second paper establishes the ground rules and procedures for the Local Advisory Committee. Copies of the two issued papers are attached to this report for the Council reference.

- Subject Working Groups. To further the technical and outreach process for Environmental Impact Report/Environmental Impact Statement, Metro established Subject Working Groups (SWG) to facilitate communications among the committees and stakeholders groups. The Subject Working Groups delve more deeply into the specifics of transportation, community design and environmental and provide key findings to the Corridor Advisory Committee. Subject Working Groups consist of members of the Local Advisory Committee and Technical Advisory Committee. Once the Bell Local Advisory Committee is in place and a Chairperson has been established, the first order of business would be to assign a committee member to each of the Subject Work Groups, namely Transportation, Community Design and Environmental.

- Reports to the City Council. The City Council should receive meeting summary notes or minutes of the Local Advisory Committee meeting under the Consent Calendar Agenda. As may be needed, the meeting summary notes or minutes should include a recommendation.

COMMITTEE STAFFING:

Creating advisory committees requires the dedication of staff to service and support the committees work. This includes the noticing of meetings, preparation of agendas and agenda materials, facility hosting, coordination of presentations, meeting follow-up and preparing meeting summaries. Given the limited staffing and multiple demands placed on this staffing, providing adequate support to the committee creates a challenge. In discussions with the City Manager, the Executive Director of the Gateway Cities Council of Government has offered staffing support for Bell's LAC. If the Council chooses to move forward with establishing an LAC, staff will establish an agreement with the COG for staff support.

FISCAL IMPACT:

There will be some fiscal impact associated with the set up of a Local Advisory Committee, including printing, supplies and other support services. These should not be substantial. The most significant impact is on the time of City staff required to support the committee. This can be minimized by the use of staff from the Gateway Cities COG.

ATTACHMENTS:

1. Metro – Local Advisory Committee Purpose and Responsibility
2. Metro – Local Advisory Committee Ground Rules and Procedures
3. 2004 Bell LAC Written Comments to Metro
4. 2008 Bell LAC minutes of meetings for August 27, 2008, October 14, 2008 and November 16, 2009
5. Bell Local Advisory Committee Flyer
6. Bell Local Advisory Committee Application Form

Attachment 1

Mobility. Environment. Community. Economy. Technology.

metro.net

Local Advisory Committee

PURPOSE AND CHARGE

Local Advisory Committees

LACs Purpose

Local Advisory Committees (LACs) may be established in each community along the I-710 corridor. LACs provide the channel for on-going two-way communications between the community and the extended project team. Since members of the LACs represent their communities and not themselves, on an individual level, they will inform the overall I-710 EIR/EIS Corridor Project process by bringing their communities' perspectives from a geographical, economic and demographic standpoint to the study. These committees will focus on I-710-specific issues and areas that affect their communities as well as providing input on mitigation plans.

Members of the LACs will be drawn from impacted corridor neighborhoods. Local jurisdictions will be encouraged to incorporate representation from existing neighborhood-based associations and from the Tier I committees from the earlier Major Corridor Study (MCS) phase of the project. The Outreach Project Team, in particular the Gateway Cities Council of Governments (GCCOG) will work with individual community City Councils (or for unincorporated areas through their County Supervisor to facilitate the formation and nomination of members to the LACs along the I-710 corridor.

LAC meetings will be led by a chairperson. The Chair will be nominated and approved during the first meeting of each LAC.

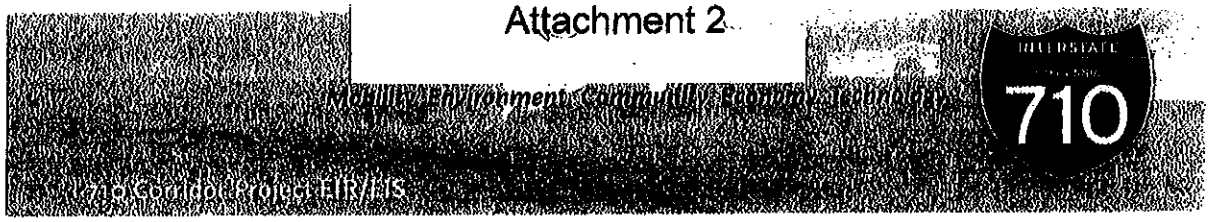
LACs Charge

The LAC's will be charged with the following:

- Providing the I-710 EIR/EIS Corridor Project Team with input into Program Documents while they are still in the outline or draft stage.
- Soliciting community (residents, businesses, institutions, labor, environmental and health interests, etc.) input and engagement on issues of local and regional importance relating to the present and future of the I-710 freeway.
- Encouraging a representative and broad base of community participation both

within and beyond the LACs.

- Providing a vehicle to incorporate and respond to public input during the I-710 EIR/EIS Corridor Project process.
- Assisting the Project Committee (PC), Corridor Advisory Committee (CAC) and Technical Advisory Committee (TAC) in educating and communicating information about the I-710 EIR/EIS Corridor Project to the larger community.
- Promoting constructive dialogue in an environment of trust, credibility and mutual respect for the community outreach process and for the transportation planning process.
- Striving to understand and reconcile competing interests and objectives.
- Developing consensus on a set of corridor solutions consistent with the goal of reinvigorating corridor economies and sustaining safe, healthy and vibrant communities.



Local Advisory Committee Ground Rules and Procedures

GROUND RULES AND PROCEDURES

Active representation and communication - Members of the Local Advisory Committee (LAC) are responsible for actively and adequately representing their communities at all meetings. Members are tasked with communicating their communities' interests/concerns to the Committee and conveying progress/issues/decisions of the LAC back to the community.

Respect for others - Committee members will respect the comments and contributions of other members.

Meaningful Engagement - The role of the LAC is to offer and consider ideas, and provide informed feedback, to the I-710 Project Team and to their communities. Committee members may bring relevant agenda-related materials to the LAC meetings for consideration.

Arrive on time - LAC meetings will begin at the published time. In fairness to those who are on time, items covered in the meeting will not be repeated for latecomers. Late arrivals will need to get missed information from others after the meeting.

Attend all meetings - LAC members make a commitment to attend all meetings. If there are unavoidable schedule conflicts their inability to attend will be communicated to the LAC chair. The LAC can also choose to allow a designated representative to attend for the absent LAC member. After more than three (3) consecutive absences the LAC member can be replaced through the initial nomination process. This will ensure that each LAC member has full information, shares all communications, and contributes fully to the group.

Review materials - Background information, prior studies and other relevant materials will be provided to the LAC by the I-710 Project Team. LAC members agree to carefully review all materials provided to them for consideration and discussion at upcoming meetings. LAC members may request additional project information from the Project Team as needed.

Consensus-based process - Substantial consensus does not require absolute unanimity. There is a consensus when all Committee members agree that major interests and concerns have been sufficiently considered and addressed. Not all Committee members need agree to particular points or solutions with the same fervor as others. There is substantial consensus when it is agreed that, given the range of

possible courses of action, gains, tradeoffs, and considering the available options and current conditions and circumstances the Committee has reached *a conclusion.*

Resolve conflicts - All Committee members shall work together to resolve potential conflicts/concerns and to keep these issues from escalating into disputes.

Teamwork - The LAC *should* function as a forward moving team, working in an atmosphere imbued with the spirit of cooperation.

Media Contact- LAC members will not discuss the project with members of the media. All media inquiries should be directed to Rick Jager, Metro Media Relations, 213-922-2707.

LAC RELATIONSHIP TO OTHER I-710 EIR/EIS COMMITTEES

Two categories of project advisory committees will directly involve LAC member participation and input. These committees will serve as an additional means for LAC members to fulfill their core charge of soliciting community input and engagement on issues of local and regional importance relating to the present and future of the I-710 freeway. The committees include:

- **Corridor Advisory Committee (CAC):** The CAC is a committee made up of representatives from each community along the I-710 corridor and from other impacted stakeholder groups. Through the CAC, this diverse group of stakeholders will address and provide consensus advice on information related to the Project EIR/EIS. They also address any issues and ideas, prioritized by the local communities, which may be out of the specific focus area of the EIR/EIS. The CAC structures itself and its work based on key topic areas identified by the LACs and Subject Working Groups (SWGs).

  The CAC is critical to the sharing of information among the communities, the SWGs, the Technical Advisory Committee (TAC), and the policy-level Project Committee (PC) and Executive Committee (EC).The chair of each LAC will represent their community on the CAC. Corridor communities without a LAC will have a representative to the CAC who is appointed by their respective elected official such as the City Council. The City of Long Beach which contains slightly more than one-third of the 18-mile freeway frontage contained in the I-710 EIR/EIS Corridor Project appoints four (4) members to the CAC. CAC membership also includes cross-over members from the Subject Working Groups (5 total) and the TAC chair. Additionally the Project Committee will appoint up to five (5) more members.

- **Subject Working Groups (SWGs):** The I-710 EIR/EIS Corridor Project will include three (3) Subject Working Groups (SWGs) differentiated by topic area.

The three SWG categories are based on an understanding of I-710 Corridor issues that emerged through the earlier MCS phase of the project. They are predicated on the diversity of community perspectives. The SWGs will include:

- Environmental Working Group
- Transportation/Transit Working Group
- Community Design and Local Economy

Each of the three (3) SWGs include one representative from each of the LACs (up to a maximum of 18). LACs select one of their members to represent their communities. In addition one representative from the TAC and up to ten (10) stakeholders appointed by the PC participate in each of the Subject Working Groups. The maximum number of members in each SWG will be twenty-nine (29).

The role of the SWGs is to bring together both knowledgeable stakeholders with community representatives to become educated about each others viewpoints and to review and comment in more depth about specific subject areas across community boundaries. The SWG role also includes input into the program documents during the outline or draft phase.

GOVERNANCE LEVEL COMMITTEES OVERVIEW

Executive Committee (EC): The EC is comprised of members of the funding partners and the Co-Chairs of the I-710 Project Committee. This committee is responsible for the coordination of appropriate aspects of the project, including policy assistance and guidance on legislative, regulatory, financial and other specialized issues that arise during the course of the study.

Project Committee (PC): The I-710 PC is comprised of community leaders representing the communities along the I-710 Corridor as well as the study's agency funding partners, the San Gabriel Valley Council of Governments, and the I-5 JPA. The PC is responsible for the oversight and management of the I-710 EIR/EIS Corridor Project.

Technical Advisory Committee (TAC): The TAC is defined in the I-710 EIR/EIS governance structure and consists of a staff member with relevant expertise in the technical aspects of the project appointed by the city manager, director or administrator of each member agency of the I-710 EIR/EIS Project Committee as well as the California Highway Patrol, Federal Highways Administration, Federal Transit Administration and South Coast Air Quality Management District.

The TAC Chairperson is given a seat on the CAC for the purpose of providing a technical perspective to their deliberations and ensuring that the TAC becomes aware of community concerns as they arise.

Flow of Information. The LACs and the SWGs provide direct input to the CAC. The CAC provides direct input to the TAC and the Project Committee. The Project Committee provides direct input to the I-710 Executive Committee. The CAC is also charged with providing feedback to the LACs and SWGs including reports on the Committees' input into the program documents.

Attachment 3

Integration Legend

- Included in EIR/EIS
- Being Addressed by GCCOG
- Not being addressed or to be addressed by local communities
- Addressed by other agencies

I-710 Major Corridor Study
Tier 1 Community Advisory Committee CAC

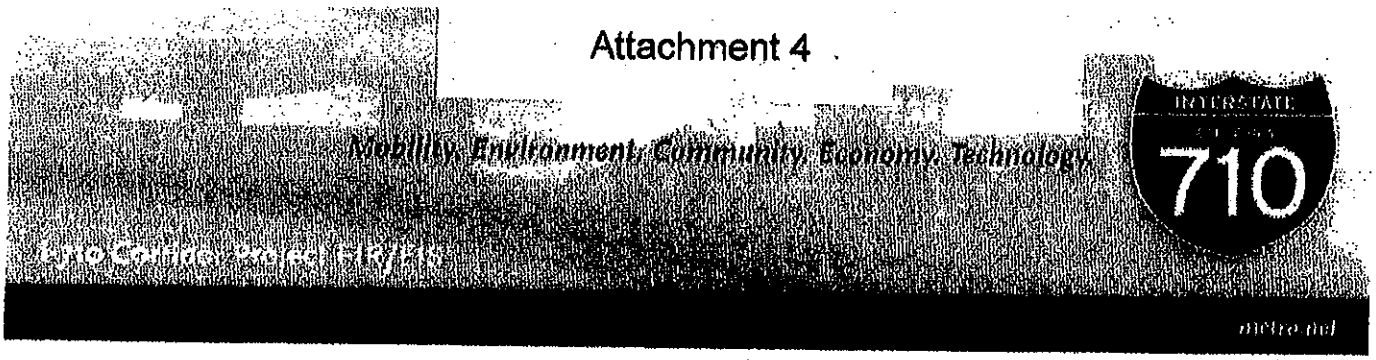
August-04

City of Bell

ID#	Community Ideas	
H3-a	Our community needs to support pending legislation to address pollution.	
D4-a	Improve the Florence exit and fix the cloverleaf.	
D4-c	Widen bridges over the I-710 freeway.	
E2-a, b	Improve sidewalk in the City.	
E1-f	Implement a beautification program that includes graffiti removal and landscaping from I-91 to the I-60.	
N1-a	Provide sound walls.	
I	Seek opportunities to underground utilities.	
N2-g	Repair potholes along the freeway.	
EJ-3	City should be compensated for loss in revenue from construction impacts.	
M3-a, c	Include bike trails in any potential projects.	
D3-c	Improve intersection at Florence and Atlantic.	
S4-d	Use Caltrans marquee to alert drivers when accidents occur.	
H2-d	Assess surcharge fees on logistics industry to pay for improvements.	
E3-a	Provide construction mitigation measures.	
H1-d	Conduct study (funded by the ports) to determine the increased health impacts that port growth will cause.	C/C
H4-b	Increase inspection points to monitor and enforce compliance.	
D6-a	Add carpool/bus lanes.	
M1-b	Support 24/7 port operations.	
M7-a	Encourage use of other ports.	
II	Cap port growth and rail yard expansion.	

Xx-x - reference to the ID number found in the Strategies Summary Matrix
I - Local city issues to be addressed with the city during the environmental phase
II - Ideas considered by Tier 1 CACs but not carried forward to Tier 2 CAC

Attachment 4



Bell Local Advisory Committee

August 27, 2008
2:00 p.m.
Bell City Hall: 6330 Pine Avenue, Bell

MEETING SUMMARY

INTRODUCTION

On Wednesday, August 27, 2008, the I-710 project team met with City of Bell Local Advisory Committee (LAC) representative Ray Johnson. Mr. Johnson, a long time City of Bell resident, is a former Council Member and remains active in community events and projects. The purpose of the meeting was to provide a Project Overview and Update to the LAC regarding the I-710 Corridor Project EIR/EIS, to discuss desired outcomes and expectations of the LAC, to introduce the community participation framework and to provide notice of upcoming public scoping meetings on September 9, 10 and 11.

Also present at the meeting were members of the I-710 project team, Devon Cichoski, Metro Constituent Program Manager and Jerry Wood representing the Gateway Cities Council of Governments. Becky Draper of MIG represented the outreach team at the meeting.

Jerry Wood introduced the project team to Mr. Johnson and Becky Draper reviewed meeting objectives.

The I-710 project team provided background on I-710 Major Corridor Study, progress since the completion of the Tier 2 report and discussed the path moving forward for the I-710 EIR/EIS process. The discussion focused on describing the MCS and the role that the LACs serve in the EIR/EIS phase of the project, the responsibilities of LAC members and additional opportunities for community participation. The custom-tailored approach of the community participation process was emphasized during the meeting.

Following the discussion of the project and opportunities for community participation Jerry Wood reviewed the Locally Preferred Strategy pointing out areas likely to be of particular interest to the community of Bell (i.e., Florence Avenue interchange; proposed Slauson Avenue, the Atlantic/Bandini interchange and former airbase development.)

Mr. Johnson was provided with informational handouts including:

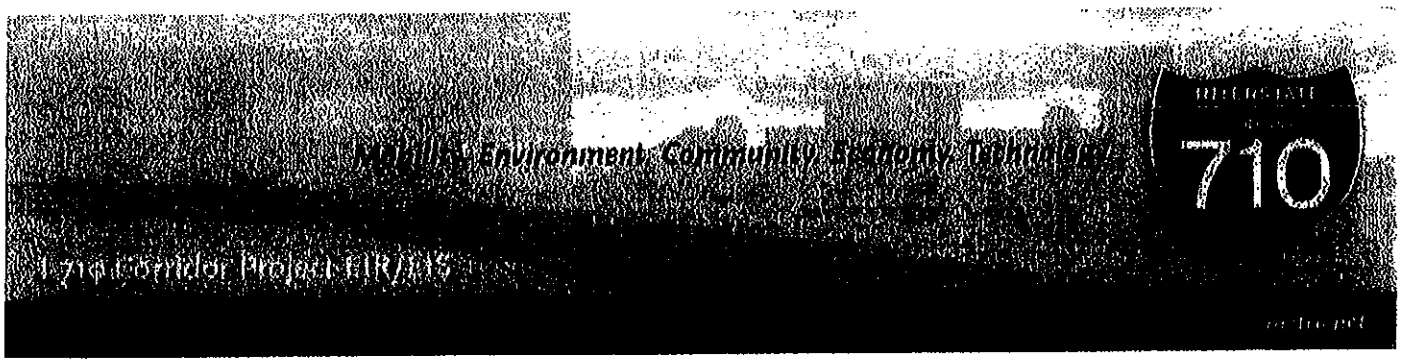
- Project Overview Fact Sheet
- Community Participation Framework
- Outreach Activities 6-Month Schedule
- LAC Approach Graphic
- EIR/EIS Process Graphic
- EIR/EIS Glossary
- EIR/EIS FAQ
- I-710 EIR/EIS vs. Traditional EIR/EIS Graphic
- I-710 Project Newsletter
- I-710 Scoping Meeting mailer
- I-710 hybrid corridor map
- Gateway Cities COG Air Quality Action Plan

The meeting was conducted as an open discussion and questions were encouraged throughout the meeting.

CONCLUSION

Ms. Draper said that she would follow up with Mr. Johnson with a copy of the Tier 2 report and electronic copies of all the materials provided during the meeting.

The meeting concluded at 2:45 PM.



Bell Local Advisory Committee

October 14, 2008
4:00 p.m. – 5:30 p.m.
Bell City Hall: 6330 Pine Avenue, Bell

MEETING SUMMARY

INTRODUCTION

On Tuesday, October 14, 2008, the I-710 project team met with City of Bell Local Advisory Committee (LAC) representative Ray Johnson. The purpose of the meeting was to provide Mr. Johnson with a project update and to engage in a discussion on a new vision for the I-710 corridor, provide an introduction to the topic of goods movement and walk through the geometric plan analysis completed, to date, by the engineering team. Mr. Johnson's feedback and input were encouraged throughout the meeting.

Also present at the meeting were members of the I-710 project team, Devon Cichoski, Metro Constituent Program Manager, Jerry Wood representing the Gateway Cities Council of Governments, Jack Waldron, URS, Shannon Willits, URS and Becky Draper, MIG.

After a round of introductions Becky Draper reviewed the meeting agenda and objectives. Ms. Draper gave Mr. Johnson a brief summary of project progress since last meeting with him in August. She also mentioned that on the following evening the first meeting of the I-710 Corridor Advisory Committee was scheduled and that Mr. Johnson was invited to attend as the City of Bell's representative to that body. She also mentioned that Bell still has the opportunity to make appointments to the Subject Working Groups and that those committees would be having there first meetings in November. Jerry Wood followed up by presenting Mr. Johnson with an I-170 Project Notebook and briefly reviewing its contents.

New I-710 Corridor Discussion

Ms. Draper introduced the topic of the "New I-710 Corridor" by stating that a component of the community participation effort for the project will focus on asking the committee

members to consider ways that the I-710 corridor can be enhanced, from a community design standpoint, to move beyond just being seen as a goods movement corridor. The enhancements could include creating an identity for the corridor and the individual communities, improving esthetics and safety elements and feature key projects that could be implemented in the near term. Many of the community design-related ideas that emerged from the Major Corridor Study can be used as a starting point for this discussion and assessed as to their current relevance in the corridor. Ms. Draper mentioned that Gruen & Associates, a sub consultant to the Engineering Team, will serve as a resource to the communities to help develop and expand upon the ideas put forth. Jerry Wood said that today was just the introduction of the topic to ask Mr. Johnson to begin thinking about possible ideas. Mr. Wood said that the Project Team would follow up with Mr. Johnson for further discussion.

Goods Movement Introduction
Following the "New I-710 Corridor" discussion Jerry Wood gave a goods movement presentation which provided an overview of impacts at the regional and local level, basic terminology, baseline facts, a summary of how goods are moved, and an explanation of why goods movement is important to the I-710 EIR/EIS.

Discussion followed Mr. Wood's presentation. Points raised included the following:

- The relatively low utilization rate of the Alameda Corridor and the potential that the unused capacity could represent to improving congestion and flow of goods in the I-710 corridor.
- Related discussion included the need for more rail yards in the Southern portion of the corridor (on-dock or near-dock) to maximize the capacity of the Alameda Corridor.

Geometric Plan Review
The goods movement presentation and discussion was followed by an overview of the geometrics plan analysis conducted on Alternative 6 (the Locally Preferred Strategy that resulted from the Major Corridor Study) concentrating on the sections of the freeway that touch on the City of Bell from Firestone Boulevard to the Atlantic/Bandini exit. Jack Waldron and Shannon Willits from URS shared the presentation. Mr. Waldron gave an overview of the Geometric analysis process and explained that what was being presented during the meeting were preliminary findings for one of the study's six alternatives. Mr. Willits followed Mr. Waldron walking through the plan layout interchange to interchange (i.e., Firestone, Florence, proposed Slauson exit, Atlantic/Bandini) explaining the current conditions, the changes dictated by Alternate 6, the impacts related to these changes and the constraints involved (i.e., Los Angeles River and DWP overhead transmission system).

The following discussion points followed the presentation:

- The goal is to design the freeway to remain at grade as much as possible. However it will be elevated in some sections. For example under

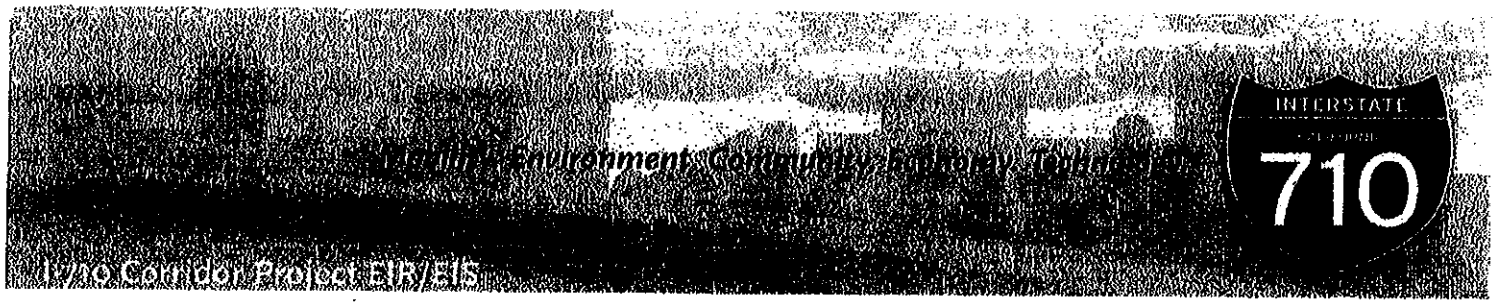
Alternative 6, approaching Slauson Avenue it has to be elevated to cross over Slauson Avenue into the rail yards.

- Intersection design changes: Florence Avenue's four-quadrant cloverleaf design would be converted to a diamond design interchange if Alternative 6 is implemented; Slauson Avenue which does not currently have an interchange would become a single-point interchange under Alternative 6; Washington Boulevard interchange is eliminated in Alternative 6.
- There are impacts to a few businesses located in Bell under Alternative 6. The City of Bell staff has been made aware of this and appears to be comfortable with the level of impact.

CONCLUSION

Ms. Draper said that she would follow up with Mr. Johnson related to the scheduling of the Subject Working Group meetings and encouraged him to contact the project team with any questions or input that he may have before that time.

The meeting concluded at 5:30 PM.



Bell LAC Meeting #2

November 16, 2009
1:30 PM – 3:30 PM
City of Bell, City Hall
6330 Pine Avenue, Bell, CA 90201

MEETING SUMMARY

INTRODUCTION

On November 16, 2009, the I-710 Project Team met with the City of Vernon Local Advisory Committee (LAC). The purpose of the meeting was to provide an update on the Corridor Project EIR/EIS, to review the previous meeting summary, to present an introduction to the environmental studies, to discuss early action projects, to review geometric segment refinements, and to identify future discussion topics and meetings.

Present at the meeting were LAC members Ray Johnson (Chair) and George Francis Bass and Carlos Alvarado (City Engineer). In attendance from the Project Team were Devon Cichoski (Metro), Brad Slauson (URS), Rob McCann (LSA), Megan Mettee (LSA) and Esmeralda Garcia (MIG).

After a round of introductions Esmeralda Garcia reviewed the meeting agenda and objectives.

I-710 EIR/EIS CORRIDOR PROJECT UPDATE

Brad Slauson of URS gave a brief overview of the project history and recent progress. Mr. Slauson explained that over the last year, the engineering team has been conducting a detailed traffic analysis and projection for 2030. He further explained that these were based on the initial geometrics plans which the engineering team has also been refining over the last year, with input from the LACs. The geometrics plans were presented to the City and the Technical Advisory Committee (TAC) and revised based on input received. The results of the revision process will be presented later in this meeting. The completed geometrics have been handed off to the environmental team so that they can be used for the environmental analysis.

Rob McCann of LSA gave a brief overview of the environmental studies, which will evaluate the environmental impacts from each of the engineering alternatives and associated traffic data. With the completion of the geometric plans, the environmental team will begin the environmental impact assessment of the alternatives. The environmental team will present preliminary environmental findings to the community and will be interested in receiving feedback from the LACs and SWGs in the future.

Rob McCann invited meeting participants to ask questions regarding the environmental studies.

- Will the environmental studies need to be re-started if there are any changes to the project alternatives?
  - The purpose of the technical studies is to review all project alternatives.
- Will the draft EIR be presented to community?
  - Yes.

Esmeralda Garcia gave a brief overview of the community outreach process. The SWGs have been particularly active over the last couple of months. The Environmental SWG formed recommendations to the Corridor Advisory Committee (CAC), which will be taken to the Project Committee. These recommendations address issues including: significance thresholds, near-source modeling, and construction impacts. The Transportation SWG (TSWG) reviewed advanced technologies and, overall, support the electric truck vehicle option. The TSWG also received a follow-up presentation from Edison regarding the power supply, and have learned about port forecasts and traffic geometrics. The Community Design SWG will examine key views and the visual impact of the project this month (November 2009). In the coming months, they will be considering historic structures and community design features. The Project Team is working on a brochure about the Corridor's history and character.

PREVIOUS MEETING RECAP

Ms. Garcia referred meeting participants to the hard copy summary of the previous Bell LAC meeting for their review. She briefly summarized the activities from the previous meeting. Key outcomes and points of discussion from the meeting include: geometrics and railroad goods movement.

INTRODUCTION TO ENVIRONMENTAL STUDIES

Rob McCann presented an overview of the environmental studies for the I-710 EIR/EIS. He explained that the environmental document serves two purposes: it is a public disclosure document and a document that enables project design decisions. It includes three project alternatives (including a No Build Alternative); the environmental studies evaluate the impacts of these project alternatives. Recommendations from the public will inform the final project decision.

He explained the environmental review process, which includes a Draft and Final EIR, and an Environmental Commitments Record. The technical studies will inform the

EIS/EIS document. He provided an overview of the technical studies that will address five basic components of the project: regulatory setting, methodology, affected environment, environmental consequences, and avoidance, minimization and/or mitigation measures. The environmental consequences technical study will consider include construction and public health-related impacts as well as long-term, beneficial and cumulative impacts. Mr. McCann provided a handout to committee members that illustrate the EIR/EIS components and topical areas. The EIR/EIS consists of three broad topical areas including: the human, physical, and biological environment.

Issues of concern will be incorporated as the Project Team continues to develop the Community Impact Assessment (CIA).

Megan Mettee provided an overview of each section of the Bell Community Profile. The project team wants to ensure that all Bell resources that are important to the community are included in the Community Profile.

Meeting participants discussed the Bell draft Community Profile. The following suggestions were made to augment the draft document:

- Add Vernon to the document since it abuts Bell.
- Add Ellen Ochoa Learning Center to the list of community facilities.
- Add Rancho San Antonio as a regional community plaza.
- Correct the name Raymond Johnson to Ray.
- Correct the ownership status of the north side of Rickenbacker; it is not LAUSD property as it was passed on to the City.
- Include Atlantic Avenue, which is south of the border to Cudahy.
- Add the new middle school being built next to Debs Park.

Ms. Mettee asked that any addition comments regarding the Community Profile be submitted to MIG by November 30, 2009.

EARLY ACTION PROJECTS

Devon Cichoski from Metro provided an overview of Measure R, which provides funding for early action projects in the I-710 Corridor. The Metropolitan Transportation Agency (MTA) regularly updates the Long Range Transportation Plan; the most recent update of the plan did not include specifics on funding for highway and corridor improvement projects in the Gateway Cities area. To remedy this situation, the Gateway Cities worked with stakeholders to develop a list of potential early action projects to preserve the program and ensure that funding can be channeled towards the I-710 in the near future. Examples of early action projects include interchange improvements, sound walls and other shorter-term projects related to the I-710 Corridor.

REVIEW GEOMETRIC SEGMENT REFINEMENTS

Brad Slauson of URS provided an overview of the project's technical reports. He explained that the technical reports assess a variety of components related to the I-710 project. The timing of these reports will match the time frame of the environmental reports. The technical reports focus on improvements to the I-710 Corridor including drainage and sound walls, among other improvements, and will assess the cost of potential improvements.

Mr. Slauson then went on to review the map featuring geometric segment refinements and oriented meeting participants to landmarks on the map. He identified modifications to key elements of the I-710 Corridor Project that are in response to community input.

Mr. Slauson invited meeting participants to ask questions regarding the geometric segment refinements.

- Could a signal at the Florence/Slauson intersection qualify as an early action project?
  - Yes, it is possible to recommend the entire intersection at Florence/Slauson as an early action project, especially since safety is a concern along Slauson.
- Could a single point urban interchange be included at District Boulevard?
  - Improvements to District Boulevard are currently under development with the City of Vernon. The current project will improve access to the freeway.

Before adjourning the meeting, Ms. Garcia summarized the next steps for the project. The committee will review the geometrics. She gave a quick review of the committee meeting calendar, including the next City of Bell LAC meeting that will take place at the beginning of 2010. The Project Team will discuss the early action projects at the next meeting.

The meeting was adjourned at 3:30 p.m.

Attachment 5

CITY OF BELL
LOCAL ADVISORY COMMITTEE

INFORMATION ON THE
I-710 CORRIDOR PROJECT

What is the I-710 Corridor Project and why is it necessary?

The Long Beach Freeway (I-710) is a vital transportation artery, linking the Ports of Long Beach and Los Angeles to Southern California and beyond. It is an essential component of the regional, statewide and national transportation system, serving both passenger and goods movement vehicles.

As a result of population growth, cargo container growth, increasing traffic volumes, and aging infrastructure, the I-710 Freeway experiences serious congestion and safety issues. In March 2005, Metro completed the I-710 Freeway Major Corridor Study (MCS), resulting in a project proposing to expand the 710 freeway to a total of 14 lanes;ten of which will be used for general purpose lanes and four for freight movement lanes that will be designed for zero emission trucks.

How will our community be protected from impacts of the project?

The EIR/EIS, a study required by federal and state statutes, is an assessment of the likely influences that future improvements may have on the environment and communities along the corridor. It includes analyses of ways to reduce or avoid possible adverse environmental impacts.

How can I get involved in the review process?

Through a representative Corridor Advisory Committee structure, the local municipalities including the City of Bell will each be creating a Local Advisory Committee.

What is a Local Advisory Committee (LAC)?

The LAC is a group of community members and stakeholders identifying potential impacts resulting from the proposed project.

Why do we want to set up an LAC?

The primary purpose of the LAC is to provide members the opportunity to work hand-in-hand with the technical team to develop strategies to improve air quality, mobility, and quality of life throughout the life of the project.

How aremembers of the LAC selected? The committee will be selected by the local municipality and will be made up of local citizens, serving to advise the project staff, providing feedback and recommendations on the I710 project parameters.

What is the role and duties of an LAC member?

Committee members will be expected to discuss relevant issues with the local municipal representative who will be representing the Community of the City of Bell.

When do the LAC members meet and how often?

LAC members will meet once a month.

Attachment 6
CITY OF BELL
LOCAL ADVISORY COMMITTEE
MEMBER APPLICATION

APPLICANT NAME:

NOMBRE: _____
Last/*Apellido* **First/Primer**

ADDRESS:
DIRECCION: _____
Street/*Calle* **City/*Ciudad*** **Zip/*CodigoPostal***

TELEPHONE:
TELEFONO: _____

1. **Are you a Resident or a Business Owner of the City of Bell? If you are a Business Owner, what is the name and address of your business?** *¿Es usted un residente o un dueño de un negocio en la ciudad de Bell? Si usted es un dueño de negocio, cual es el nombre y la dirección de su negocio.* _____
_____
_____

2. **Why do you want to become a member of this committee? and what specific contributions do you hope to make?** *¿Por qué quisiera ser un miembro de este comité ?*
_____
_____
_____

3. **What impacts do you think the I710 expansion project will have on the community of the City of Bell?** *¿Qué impactos piensa usted que este proyecto del I710 va ha tener sobre la comunidad de la Ciudad de Bell?* _____
_____
_____

4. **Have you ever participated in any other community groups?** *¿Alguna vez ha participado en grupos de la comunidad correspondientes al comité?* _____
_____
_____

5. **How did you learn about this project?** *¿Cómo se enteró acerca de este proyecto?* **Newspaper** *Periódico* **Word of mouth** *De boca a boca* **other:** *Otro:*

Return application to:
Envié este formulario a:

Attention: City Clerk
6330 Pine Avenue
Bell, CA 90201
Fax: (323)771-9473
bellcityclerk@cityofbell.org

_____
Applicant Signature/ *Firma*

_____
Date/ *Fecha*

City of Bell
Agenda Report

DATE: March 7, 2012

TO: Mayor and Members of the City Council

FROM: Magdalena Prado, Senior Management Analyst

APPROVED BY: _____
Arne Croce, Interim Chief Administrative Officer

SUBJECT: Review of new City of Bell Logo

RECOMMENDATION:

The City Council:

1. Direct staff to add color options to the proposed four concepts; and
2. Display the colorized versions on the City of Bell website to solicit public opinion via Survey Monkey, an online survey method, for a one-week period prior to the upcoming March 21, 2012 Council Meeting, at which time the Council would select a new logo design.

BACKGROUND AND DISCUSSION:

The election of a new City Council last March has ushered in a new era in Bell City government. Over the past year, the City Council has undertaken a number of initiatives to reinforce the changes in City government. These have included major reforms, such as the community priority workshop held in January and smaller ones like installing transparent glass on the City Hall and Police Station doors. Another symbol of the City of Bell's renewal would be to develop a new City logo.

Late last year, staff sought to identify a new logo design concept by seeking out pro bono services from students at the Center for Design in nearby Pasadena. This was not a fruitful effort. Staff then asked the current City of Bell website administrators, Ewing Beland, also a design development firm, to assist the City in elaborating a new City of Bell logo design.

On February 17, 2012, Mayor Saleh, Councilmember Nestor Valencia, and staff met with representatives from Ewing Beland to provide background from which to base their initial design concepts. A subsequent meeting took place on February 24, 2012 to review an array of design renderings. These were then narrowed down to the four black and white designs attached to the this report.

At this time, staff seeks the Council's direction to continue elaborating these designs. Staff recommends, upon Council approval, the proposed drawings are colorized, and displayed both at City Hall and on the City website to solicit public opinion, which may be gathered via Survey Monkey, a free online research tool. After a-one week display period, Council may select a new logo design concept at the Wednesday, March 14, 2012 City Council meeting. Also, staff recommends incorporating the following into the logo: *Founded 1927—Renewed 2011*

FINANCIAL IMPACT

Ewing Beland agreed to provide their design services to develop a final logo design at a reduced cost not to exceed $1,700, for twenty hours of service; to date 10.5 hours or $892.50 have been incurred. Typically, the elaboration of a design logo and City seal would require a minimum of forty hours of design work. The work is paid for out of the Transition Support budget item. The cost of implementing a new logo can be phased in over time as the City replaces letter heads, business cards and other branded items.

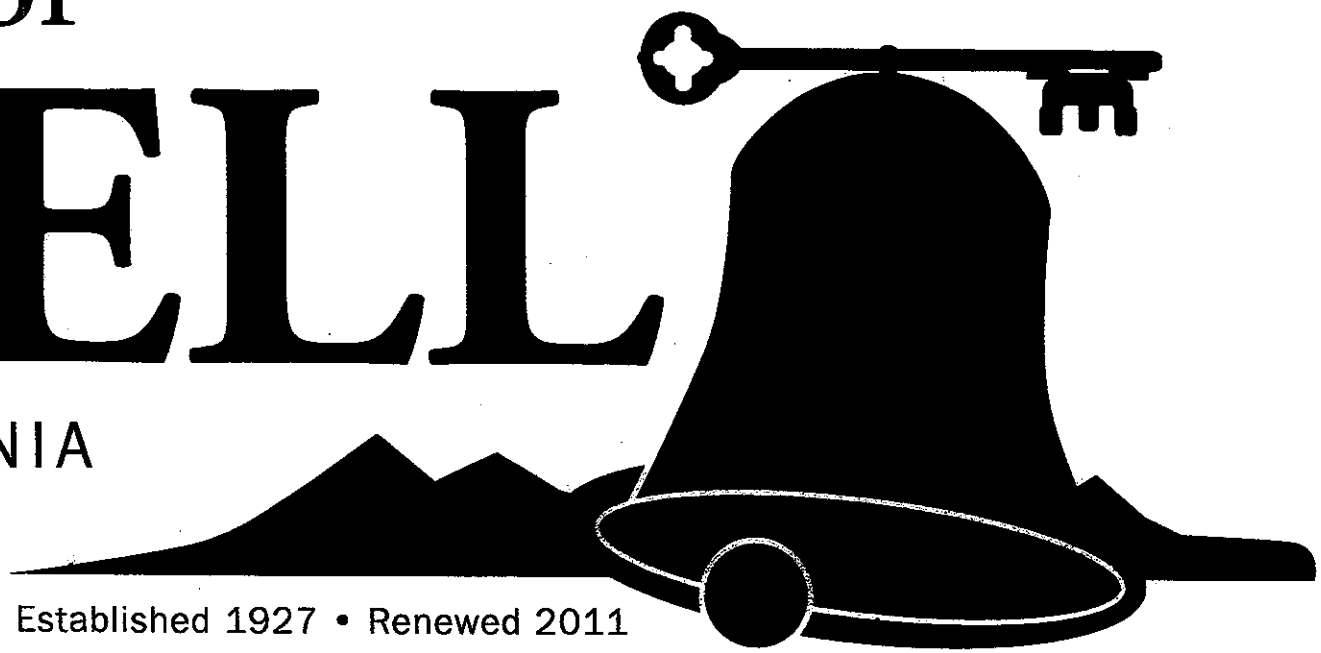
ATTACHMENT

A. City of Bell Logos

City of

BELL

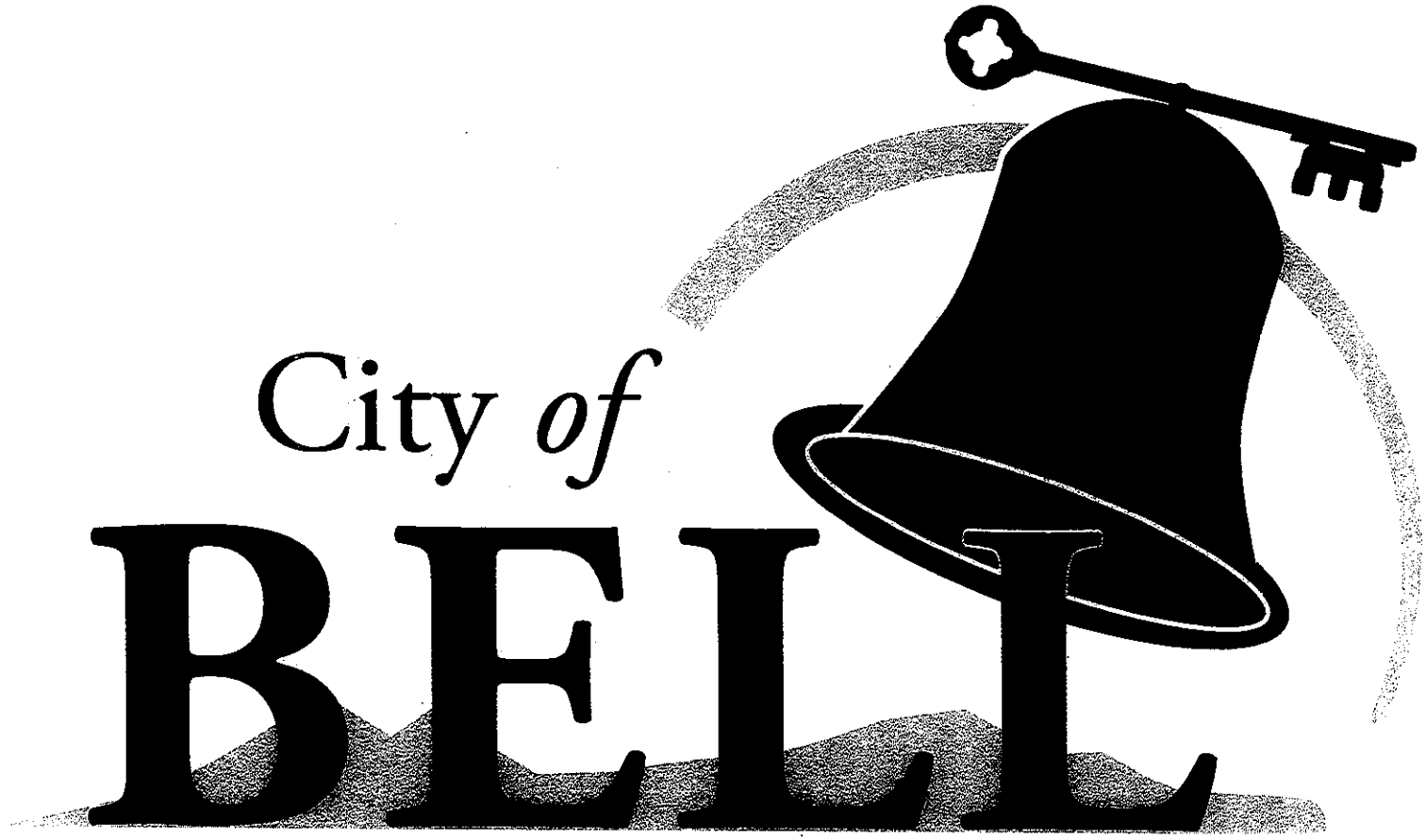
CALIFORNIA



Established 1927 • Renewed 2011

City of Bell

CALIFORNIA


City of
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CALIFORNIA

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City of Bell
Agenda Report

DATE: March 7, 2012

TO: Mayor and Members of the City Council

FROM: Pamela S. Easter, Co-Interim Finance Director

APPROVED BY: _____
Arne Croce, Interim Chief Administrative Officer

SUBJECT: Addendum No. 2 to City of Bell and Oldtimers Foundation Agreement for Paratransit Services for Bell Residents

RECOMMENDATION:

Approve the attached Addendum No. 2 to the City of Bell and Oldtimers Foundations' Agreement that authorizes the provision of Paratransit Services for the period beginning on July 1, 2010 through to such time the City completes the bid process for continuation of services and the chosen provider begins service.

BACKGROUND AND DISCUSSION:

The Oldtimers Foundation has provided Paratransit services for Bell residents, since 1996. The original Agreement was executed in 1996. This recommended Addendum No. 2 would the second modification to the original Agreement. This year, the City has also issued a Request for Proposal (RFP) process to provide Paratransit services for Bell residents. This is expected to be awarded by the City Council on April 18, 2012.

Each year, the Los Angeles County Metropolitan Transportation Authority (MTA) audits each City's expenditure of Proposition A and C as well as Measure R funds – voter approved measures. The City of Bell uses Proposition A and C funds for the operation of the Paratransit Services. MTA requires a Council approved agreement between the City and the provider, for the expenditure of funds to be allowed. For the period beginning July 1, 2010, such a Council approved agreement was not in place. The MTA auditors are placing this fact as a finding in their Audit review of the City of Bell's expenditure of funds. The attached Addendum between the City and Oldtimers Foundation would provide the official Council action required for the period from July 1, 2010 through such time in 2012 a new contract for Paratransit services is awarded. If approved, the Council action would be provided to MTA and we would request that this be shown as evidence to allow the expenditure of Proposition A funds.

This Addendum has been reviewed and agreed upon by Oldtimers Foundation representatives and the City Attorney's Office.

Attachment: Addendum No. 2 to City of Bell and Oldtimers Agreement

ADDENDUM NO. 2 TO
CITY OF BELL AND OLDTIMERS FOUNDATION
AGREEMENT FOR PARATRANSIT SERVICES
FOR BELL RESIDENTS

This ADDENDUM NO. 2 TO CITY OF BELL AND OLDTIMERS FOUNDATION AGREEMENT FOR PARATRANSIT SERVICES FOR BELL RESIDENTS ("Addendum") is made and entered into effective as of July 1, 2010 ("Effective Date") by and between the City of Bell, a municipal corporation (the "City") and Steelworkers Old Timers Foundation, a California non-profit public benefit corporation ("OTF"). The City and OTF are hereinafter collectively referred to as "Parties".

RECITALS

A. On or about July 1, 2000, an Agreement regarding "Paratransit Services For Bell Residents" by and between the City and OTF, hereinafter referred to as "Agreement," was executed between the City and OTF for the provision of transit services, including dial-a-ride services.

B. On or about April 1, 2008, the City and OTF executed a First Addendum to the Agreement.

C. On May 17, 2011, the City, in writing, notified OTF that the Agreement and appurtenant lease and purchase agreements for vehicles (Joint Purchase Agreement and Motor Vehicle Lease, each dated June 29, 2010) were being terminated in accordance with the terms of the Agreement, effective June 30, 2011 ("Termination Date").

D. The City initiated a bid process for a new paratransit vendor on or about July 14, 2011. OTF has been included in the vendor list.

E. OTF has continued to provide service after July 1, 2010 and the parties now desire to enter into this amendment to extend the existing Agreement until the City completes a bid process for continuation of services.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements set forth, the Parties agree as follows:

Section 1. Amendments to the Agreement.

The Parties agree to amend the Agreement as follows:

A. Section 1, "Term" is amended to read, in its entirety:

The term of this Agreement shall begin on July 1, 2000 and shall continue on a month-to-month basis until terminated in accordance with Section 10 of the Agreement.

At the end of the Term, or in the event this Agreement is terminated in accordance with Section 10, OTF shall cooperate fully with City and any subsequent paratransit service provider to assure a smooth transition of paratransit services. OTF's cooperation shall include, but not be limited to, providing the following operating records needed to provide paratransit services within the City: Trip Sheets; Year End National Transit Database ("NTD") Reports; NTD Audit Reports; rider database; and vehicle inspection and maintenance records.

B. Section 4, "Payment" is amended to add the following paragraphs:

Notwithstanding the foregoing, OTF represents and warrants that it has paid the balance of loans held by Creative Bus Services on the vehicles ("Vehicles") described in the Joint Purchase Agreement dated June 29, 2010 ("Joint Purchase Agreement") and the Motor Vehicle Lease dated June 29, 2010 ("Motor Vehicle Lease"), such balance totaling $35,143.03.

In consideration for the promises and obligations given and assumed by OTF hereunder, for services provided in any given month, where payment for services by City to OTF is not timely, interest shall accrue at the rate of 10 percent per annum, compounded daily, on the principal and interest of such balance, accruing from the date of the invoice until the date payment of the principal and all accrued interest is made by or on behalf of City.

As a further consideration for OTF entering into this Agreement, the Parties agree that the prevailing party in any action to enforce the terms of this Agreement, including to seek payment for paratransit services provided hereunder, shall be entitled to reasonable attorney's fees and costs incurred in such enforcement action.

As consideration for City entering into this Addendum, including the provisions hereinabove, OTF agrees to provide services without any adjustments to the rate charged for such services in effect at the Termination Date, for COLA, increases in fuel costs, or other increases in operating costs, notwithstanding section 4 of the First Addendum.

C. Section 10, "Breach and Termination" is amended to add the following paragraphs:

This Agreement may be terminated at any time, with or without cause, by either Party upon 30 days prior written notice. Notice shall be served in accordance with Section 16 of this Agreement. Termination under this provision may be effected subject to the notice provisions above without being deemed to be in breach of this Agreement.

The Parties agree and acknowledge that OTF is not in breach of Section 12 of the Motor Vehicle Lease by OTF's continuing possession of the Vehicles past the Termination Date, and that the term of the lease under Section 2 of the Motor Vehicle Lease is hereby amended to run until the termination of this Agreement.

As consideration for City entering into this Addendum, including the provisions hereinabove, OTF agrees and acknowledges that this Addendum shall not operate as a waiver of any claims, rights, defenses or obligations that City might assert or can assert under the Joint Purchase Agreement or the Motor Vehicle Lease.

Section 2. Remaining Portions of the Agreement.

Except as otherwise expressly set forth in this Addendum No. 2, all other provisions of the Agreement, as amended, remain unchanged and in full force and effect between the City and the OTF.

IN WITNESS WHEREOF, the Parties have caused this Addendum to be executed the day and year first written above.

DATED: March ___, 2012

STEELWORKERS OLD TIMERS FOUNDATION:

_____

Irene Muro, Executive Director

DATED: March ___, 2012

CITY:
CITY OF BELL

_____

Ali Saleh, Mayor

ATTEST:

_____

Pat Healy, Interim City Clerk

APPROVED AS TO FORM:

_____

David J. Aleshire, City Attorney

A G R E E M E N T

This agreement, hereinafter referred to as "Agreement", is made and entered into by and between the CITY OF BELL, hereinafter referred to as "City", and the OLDTIMERS FOUNDATION a Non-Profit Corporation, hereinafter referred to as "Foundation" on this 13th day of March, 1996.

WITNESSETH

WHEREAS, the City of Bell has approved the establishment of a program utilizing Proposition A funds for the purpose of transporting Bell Residents to and from destinations defined herein.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:

1. TERM

The term of this Agreement is from April 1, 1996, to June 30, 2000.

2. SCOPE OF SERVICES

All service, including the City's obligation and the Foundation's obligation under this Agreement shall be in compliance with the Project Description, attached as Exhibit "A" and incorporated herein by this reference.

3. SERVICE AREA AND HOURS OF SERVICE

Foundation shall provide transportation services as set forth herein by vehicles furnished and operated by the Foundation, for qualified persons to all areas within a five(5) mile radius of the intersection of Gage and Atlantic and to certain Satellite Points. Current Satellite Points are set forth in Exhibit "B" attached hereto and incorporated herein by this reference. Such Satellite Points may be amended from time to time by the City in consideration of the City's transportation goals and needs.

Hours of operation shall be:

Monday - Friday	7:00 a.m. - 5:00 p.m.
Saturdays	9:00 a.m. - 3:00 p.m.

The service areas and hours of operation may be changed if deemed necessary by the City. However, the hours of service shall not be increased without proper compensation to the Foundation.

4. PAYMENT

Services shall be billed at the rate of $26.75 per Vehicle Service Hour to be distributed throughout the year so as to meet the service needs and requirements of the City up to a maximum of $250,000 per year.

Foundation shall submit monthly detailed invoices to City of Bell for services rendered. So long as such invoices are received by the City by the 10th of the month following that in which the services were rendered, all undisputed sums shall be placed upon the next scheduled warrant run to be considered by the City Council and paid thereafter according to standard City procedures.

The City may, at any time, conduct an audit of any and/or all records kept by the Foundation related to the service provided pursuant to the Agreement. The City may offset any overpayment uncovered in such an audit against the Foundation's future invoices.

5. AUDIT RIGHTS

City retains full and complete rights to audit, upon reasonable notification, all of the books, records, documents, invoices and other memoranda of Foundation, relative to the terms and conditions of this Agreement.

6. HOLD HARMLESS

The Foundation agrees to protect, defend, indemnify and hold the City of Bell, its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of this Agreement and/or the performance of services contemplated hereunder. Without limiting the generality of the foregoing, any and all such claims, etc., relating to personal injury, infringement of any patent, trademark, copyright (or application of any thereof) or of any other tangible or intangible personal or property right, or actual or alleged violation of any applicable statue, ordinance, administrative order, rule or regulation, or decree of any court, shall be included in the indemnity hereunder. The Foundation further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc., at its sole expense and agrees to bear all other costs and expenses related thereto, even if such claim is groundless, false or fraudulent.

The City will not hold harmless or indemnify the Foundation for any liability whatsoever.

7. INSURANCE

a. During performance hereunder, Foundation shall procure, and keep in effect, the following insurance, which shall be full-coverage insurance, except that if Foundation shall satisfy City in the City's discretion, as to the Foundation's financial ability to meet the self-insurance or deductible provisions, such self-insurance or deductible provision shall be granted:

(1) Comprehensive General Liability Insurance, including automobile liability coverage, for each vehicle used, contractual liability and personal injury liability with at least the following combined single limits of liability:

(a) Primary Bodily Injury Liability limits of two million dollars ($2,000,000) per occurrence.

(b) Primary Property Damage Liability limits of two million dollars ($2,000,000) per occurrence.

(2) Workman's Compensation Insurance issued in accordance with the laws of the State of California with liability limits of one million dollars ($1,000,000).

Foundation shall not, of its own initiative, cause any such insurance to be canceled or materially changed during the course of this Agreement.

b. Prior to commencement of service hereunder and on an annual basis thereafter, Foundation shall furnish a complete copy of each insurance policy and a Certificate of Insurance thereof to the Office of the City Clerk City of Bell, which Certificate shall certify that Foundation's insurance policy(ies) provides:

(1) City is named as an additional insured for all policies listed herein.

(2) The coverage shall be primary as to any other insurance with respect to performance hereunder.

(3) Thirty (30) days written notice of cancellation or material change shall be given to City. Each policy of insurance shall contain the following clauses: "It is agreed that these policies shall not be canceled nor the coverage reduced until thirty (30) days after the City shall have received written notice of such cancellation or reduction."

c. Occurrence, as used herein, means any event, or related exposure to conditions which result in bodily injury or property damage.

8. LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY (MTA) APPROVAL

The parties to this Agreement understand that the funds used by the City to pay for the services hereunder are Proposition A funds and parties must comply with the expenditure requirements of the Metropolitan Transit Authority (MTA).

In the event that the MTA should disallow any expenditures to City for failure of Foundation to comply with MTA requirements, Foundation shall reimburse City all such expenditures.

9. INDEPENDENT CONTRACTOR STATUS

Foundation, and the agents and employees of Foundation, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the City.

10. BREACH AND TERMINATION

In the event of breach by either party the non-breaching party will give written notice of said breach and demand for cure. If the breach is not cured within thirty (30) days the non-breaching party may rescind this Agreement and seek compensation for any damages incurred. Any lawsuit under this Agreement must be brought in Los Angeles County in state court. The prevailing party shall pay all reasonable attorneys fees and costs.

In the event of recision, the City shall pay the agreed rate only for services delivered up to the date of recision. The City has no obligation to Foundation, of any kind, after the date of recision. Foundation shall deliver all records, to the City within 24 hours of the date of termination.

11. ASSIGNABILITY

Without the written consent of City, this Agreement shall not be assignable by Foundation, either in whole or in part.

12. WARRANTY OF COMPLIANCE

Foundation does hereby warrant that it is in compliance with all federal, state, territorial and local laws including, but not limited to, all civil rights laws and equal employment opportunity laws, and shall not discriminate in employment or in operation of the program of the basis of race, color, creed, sex, religion or national origin.

13. WARRANTY OF ACCOUNTING

Foundation does hereby warrant that its cost accounting system does comply with all of the requirements that the MTA does or shall impose for accounting for the expenses associated with Proposition A funds.

14. MARKETING

City shall work with Foundation in developing a comprehensive Marketing Plan which shall be approved by the City Council and which may be reviewed and revised by them from time to time.

Foundation shall submit to City on an quarterly basis camera ready copy of program information including photos related to the program for publication. The parties agree that they will cooperate to develop marketing of a vehicle logo/marking acceptable to the City to be used on Foundation vehicles operated within the City pursuant to this Agreement.

15. USE OF EXISTING TELEPHONE NUMBER

The Foundation shall be responsible for switching over the City's current Dial-A-Ride telephone number to be utilized and maintained by the Foundation at its sole expense. Upon voluntary or involuntary termination of this Agreement, the Foundation shall be solely responsible for restoring the telephone number to the City.

16. CITY VEHICLES

Due to the City's adoption of this program the City's current Dial-A-Ride vehicles are rendered surplus to the City's needs. Therefore, as part of the consideration for this Agreement the City agrees to sell its current Dial-A-Ride fleet consisting of six (6) vehicles as more specifically described in Exhibit C attached hereto and incorporated herein by this reference (the "City Vehicles") to the Foundation for the additional price of $1.00 each. The City makes no representations or warranties regarding the condition of the City Vehicles or their suitability for use by the Foundation. The City Vehicles are purchased by the Foundation strictly on an "as is" basis. The Foundation agrees that it shall either use the City Vehicles for its operations as a non-profit entity including its operations in the City and/or that it shall use the City Vehicles as "trade-in" vehicles in participation with a state sponsored program. If the Foundation violates the provisions of this paragraph ownership of and title to the relevant City Vehicles shall revert to the City.

17. PROPER NOTICES

For the purposes of this Agreement, all notices under this Agreement shall be served upon the respective parties hereto by registered or certified mail at the following addresses:

CITY	City of Bell 6330 Pine Avenue Bell, California 90201-1291 Attention: Office of the City Clerk
FOUNDATION	Oldtimers Foundation 6925 Salt Lake Avenue Huntington Park, California 90255 Attention: Project Director

18. SUBLETTING OF AGREEMENT

The Agreement shall not be sublet except with the written consent of the City. In the event that the Foundation is contemplating subletting of this Agreement the Foundation shall notify the City of such fact and the reason for same at least thirty 30 days prior to contemplated sublet date. No such consent shall be construed as making the City a party to such subcontract or subjecting the City to liability of any kind to any subcontractor. No subcontract shall, under any circumstances relieve the Foundation of its liability and obligation under this Agreement, and all transactions with the City must be through the Foundation. No member, official or employee of the City shall have any personal interest, direct or indirect, in this Agreement.

19. LICENSES, CERTIFICATION AND PERMITS

The Foundation shall be appropriately licensed and certified for the work required as a result of this Agreement. The cost for any required licenses, certifications and/or permits shall be the sole responsibility of the Foundation. Foundation is liable for any and all taxes due as a result of this Agreement.

20. ANTI-DISCRIMINATION CLAUSE

The Foundation shall not in any way, directly or indirectly, discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed in connection with the employment of persons or provision of service under this Agreement.

21. PROPOSITION A FUNDS

The parties acknowledge and agree that the availability of Proposition A funds to the City is not within the control of the City. If the City's allotment of Proposition A funds is reduced

from its current level the City shall promptly notify the Foundation of that fact and of the level of funding that it will have available for the Paratransit Service. In such event the City and the Foundation shall meet and cooperate to negotiate a revised service Agreement. If the parties are unable to reach such an agreement this Agreement shall terminate and neither party shall be deemed in default.

In addition the Foundation agrees that in the event that any additional MTA Subregional funds, for which the City's Paratransit Service would be eligible, become available, the Foundation will apply for such funds. In the event that such additional funds are granted for the City's Paratransit Service the cost of services to the City under this Agreement will be reduced by 50% of the exact amount of the additional grant. The other 50% of the grant will be used to augment service within the City. Such off-set and augmentation will be made for and limited to the time period of the additional grant.

23. SIGNATURES

The signatories to this Agreement do hereby warrant that they have the authority to execute same on behalf of the principal they purport to represent.

IN WITNESS THEREOF, this Agreement has been executed on the day and year first above written.

Date: March 13, 1996

CITY OF BELL

Rolf Janssen, Mayor Pro Tem

ATTEST:

Patricia Casjens

APPROVED AS TO FORM:

City Attorney

Date: 3-13-96

OLDTIMERS FOUNDATION

Sandra Stanko, Project Director

John Piazza, Chief Executive Officer

EXHIBIT A

PROJECT DESCRIPTION

THE PROJECT

This project consists of the transportation of persons who are Bell residents (the "Project"). It is an on demand service which provides curb to curb transportation.

Service Area

The service area of the proposed Paratransit service includes all areas within a five (5) mile radius of the intersection of Gage and Atlantic within the City. In addition, service will be provided to the Satellite Points set forth in Exhibit "B" as those points may be amended from time to time by the City pursuant to the City's evolution of its transportation goals and needs.

Days and Hours of Service

The Paratransit service will be provide during the following times:

Monday - Friday	7:00 a.m. - 5:00 p.m.
Saturdays	9:00 a.m. - 3:00 p.m.

Service will not be available on Sundays and on the following holidays:

1996 Holidays

Memorial Day	Monday, May 27
4th of July	Thursday, July 4
Labor Day	Monday, September 2
Thanksgiving Day	Thursday, November 28
Christmas Day	Wednesday, December 25

1997 Holidays

New Years Day	Wednesday, January 1
Martin Luther King Jr. Day	Monday, January 13
Presidents Day	Monday, February 17
Memorial Day	Monday, May 26
4th of July	Friday, July 4
Labor Day	Monday, September 1
Thanksgiving Day	Thursday, November 27
Christmas Day	Thursday, December 25

1998 Holidays

New Years Day	Thursday, January 1
Martin Luther King Jr. Day	Monday, January 12
Presidents Day	Monday, February 16
Memorial Day	Monday, May 25
4th of July	Friday, July 3
Labor Day	Monday, August 31
Thanksgiving Day	Thursday, November 26
Christmas Day	Friday, December 25

1999 Holidays

New Years Day	Friday, January 1
Martin Luther King Jr. Day	Monday, January 11
Presidents Day	Monday, February 15
Memorial Day	Monday, May 24
4th of July	Monday, July 5
Labor Day	Monday, August 30
Thanksgiving Day	Thursday, November 25
Christmas Day	Friday, December 24

2000 Holidays

New Years Day	Monday, January 3
Martin Luther King Jr. Day	Monday, January 10
Presidents Day	Monday, February 14
Memorial Day	Monday, May 22

Ridership

The service shall be provided only to residents of Bell. The riders will be required to show a valid I.D in a form acceptable to the City.

Performance

Trips will be considered "on-time" when served within a ± 20 minute deviation from the scheduled pick-up and drop off times and within ± 30 minutes from a non-scheduled trip. Except in cases of emergencies or exceptional circumstances passengers shall not spend more than sixty (60) minutes in a vehicle at a time.

Types of Service

In order to maximize the efficiency and productivity of service, the Foundation shall provide the following classes of trips:

1. Advance Reservation Service: customer schedules a reservation 24 hours ahead, specifying the time of pick-up and destination for a one-time only trip.

2. Subscription Service: Customer schedules a standing pick-up for same time daily or weekly.

3. Demand Response Service: Customer request immediate pick-up. Pick-up to be accomplished within 30 minutes of request, depending on demand.

Fare

Users of this service will ride free of charge.

Commencement of Service

Service shall begin on April 1, 1996.

Attendants

The Foundation shall not supply attendants. A maximum of one attendant, no younger than twelve (12) years of age will be allowed to ride with a disable passenger.

Vehicles

All vehicles will be supplied and maintained by the Foundation.

FOUNDATION'S RESPONSIBILITY

Management and Operating Requirements

The Foundation shall be responsible for the efficient management and operation of the Bell Paratransit Service which shall include the following:

a. Foundation is to operate a curb-to-curb transit service for persons within the service area and Satellite Points designated by the City.

b. Foundation shall provide all management, dispatching, facilities, technical, supplies, vehicle maintenance, and operating services necessary for the efficient and effective operation of the service.

c. The Foundation shall cooperate with the City on advertising and promotion and may be required to participate in such activities.

d. Drivers will be required to maintain vehicle logs for each day of service. Logs will include scheduled and actual pick-ups, mileage, driver hours, vehicle(s) utilized, no-shows and other pertinent information.

Personnel

a. The Foundation shall be solely responsible for the satisfactory work performance of all drivers and related personnel.

b. The Foundation shall be solely responsible for payment of all employees' and/or subcontractors' wages and benefits, in accordance with the local, county, federal and state regulations affecting such personnel.

c. Foundation's personnel policies shall be in conformance with all state and federal laws and specifically shall not discriminate on the basis of gender, race, age, religion handicap or national origin.

d. The Foundation shall comply with the requirements relating to employee liability, worker's compensation, unemployment insurance, and social security.

e. The Foundation shall hold harmless the City of Bell from liability, damages, claims, costs, and expenses of any nature arising from violations or alleged violations of legally required personnel practices.

f. The Foundation shall remove personnel provided for the Bell Paratransit system on demand of City, for cause.

g. The City shall be notified within 24 hours of new hires and reassignments of project management personnel.

h. The Foundation shall have a personnel program which includes recruitment, hiring, training and performance review.

i. The Foundation shall report all service complaints directly to the City. The Chief Administrative Officer of the City or his or her designee will develop with the Foundation appropriate methods for such reporting.

j. All dispatch personnel and personnel answering the telephones shall complete a telephone technique seminar and if feasible be fluent in English and Spanish.

k. All of the Foundation's employees shall, at all times, while on duty in the performance of the services required herein, wear designated uniforms and carry with them to be shown upon request identification identifying their status as employees of the Foundation. Employees shall be neatly and cleanly dressed and shall at all times maintain a courteous and cooperative attitude in their contact with the public.

l. All drivers must be properly licensed in the State of California to provide this type of service and be at least 21 years of age. A written record from the state Motor Vehicles Department for each driver must be made available upon request by the City. Drivers who do not meet the following minimum criteria may not be employed for the Program:

- No more than one (1) moving violation for each year over the last five (5) years prior to start of this Program;

- if license has ever been suspended, the employee must have two full subsequent years with no violations;

- under no condition will the employee be accepted as a driver for this program in (1) he/she has been convicted of a felony, (2) and/or has been convicted of a drug or alcohol offense.

m. The Foundation is responsible for ensuring that each driver is properly acquainted with requirements of the Program and his/her responsibilities as a driver.

n. Drivers shall be fully trained in defensive driving and vehicle handling.

o. Drivers shall be trained in the special skills required to provide transportation to seniors and disabled individuals.

p. Drivers shall assist passengers confined to wheelchairs with boarding and shall assist with wheelchair tie-down.

q. The Foundation shall engage in Preplacement Alcohol and Substance Abuse testing in accordance with state and federal requirements.

Project Manager

The Foundation shall designate a Project Manager who will supervise the day to day operation of the service as well as the management of the Project's accounts and operating records. The Project Manager's duties shall include, but not limited to, the following:

a. Scheduling of all regularly assigned project personnel and vehicles;

b. Arranging the assignment of back-up personnel and vehicles;

c. Distributing and/or collecting daily operating reports;

d. Performing unscheduled, periodic inspection of vehicles;

e. Preparing monthly summaries from the daily operational data and other monthly reports as specified by the City;

f. Maintaining Project accounts;

g. Preparing monthly summaries from the daily operational data and other monthly reports as specified by the City;

h. Preparing a Project budget for each fiscal year relating to Foundation's functions of the transportation system;

i. Having immediate responsibility for any operation problems and/or passenger complaints and accurately reporting these problems to the City within 24 hours;

j. Preparing all local, state, and federal reporting forms and statistics as specified by the City and required by MTA; and

k. Insuring compliance with and responding to all requests of the City's staff.

Dispatching

Personnel with dispatch capabilities will staff the Foundation's office.

Vehicle Mechanics and Maintenance

a. Foundation shall maintain and service its vehicles used for the City of Bell program ("Project Vehicles") at a level that meets or exceeds maintenance and service levels recommended by the manufacturer.

b. All Project Vehicles shall receive a pre-trip inspection daily prior to being placed in service, including checking all fluid levels and restoring them to proper levels.

c. All Project Vehicles shall receive a regular weekly inspection to ensure the vehicles' proper operating condition.

d. Any defects in Project Vehicles noted by driver or inspector shall be noted on a defect report. Appropriate action shall be taken by the Foundation on items noted in a defect report prior to operation of the vehicle.

e. A record of all Project Vehicle inspections shall be kept by the Foundation and be available to the City as part of the scheduled operations report.

f. Project Vehicles shall not be operated with defects which may make the vehicle unsafe to operate.

g. Each Project Vehicle shall be inspected on a regular basis for preventive maintenance and such maintenance shall be performed at regular intervals in accordance with the manufacturer's specification.

h. All Project Vehicle repair work shall be performed by maintenance personnel who have demonstrated experience and training in the work to be done. Maintenance personnel shall have the necessary equipment and tools to perform and authorized work.

i. All Project Vehicles shall be inspected by the California Highway Patrol (CHP) pursuant to CHP safety regulations. Foundation shall provide the City copies of the each CHP report for each Project Vehicle within thirty (30) days of receipt of same by Foundation.

j. The Foundation shall be responsible for ensuring that the appearance of the Project Vehicles will be maintained to the reasonable satisfaction of the City.

k. Project Vehicle interiors shall be swept, vacuumed and /or mopped daily to remove all dirt and debris.

l. Project Vehicle exteriors shall be washed and scrubbed at least two times a week.

m. All Project Vehicles shall display the appropriate signage when in service. The City will specify suitable decals or magnetic signs and logos for the vehicles.

Equipment

The Foundation will equip the Project Vehicles with all of the reasonably necessary communications devices. The Foundation shall provide at least one dedicated local telephone line for communication between the Foundation's dispatch personnel, the drivers and the City. This line shall be separated from the line residents will use to obtain service.

Safety

All practices, materials, supplies and equipment shall comply with Federal Occupational Safety and Health Act, as well as any pertinent federal, state and/or local safety or environmental codes.

CITY CONTACT

The Chief Administrative Officer of the City shall be the primary City contact for the Foundation.

CAPITALIZED TERMS

Unless otherwise specified Capitalized terms used herein shall have the same meaning as in the Agreement for Paratransit Service executed by the parties.

EXHIBIT B

CURRENT DESIGNATED SATELLITE POINTS

1. Stonewood Mall
   9250 Firestone Blvd.
   Downey, CA

2. Medical Center
   9515 Telegraph Road
   Downey, CA

3. Kaiser Medical Center
   9449 Imperial Highway
   Downey, CA

4. Medical Center
   9155 Telegraph Road
   Downey, CA

5. Medical offices located between:
   9000 - 9600 Telegraph

6. Kaiser Permanente Hospital
   Roscrans and Clark

EXHIBIT C

CITY VEHICLES

UNIT #	DEPT.	DESCRIPTION	LICENSE #
1. 035	CS	1982 CHEV CAPRICE WAGON VIN #1GLAN35H9CX115254	E207367
2. 073	CS	1986 CHEV SPORTVAN VIN #1G8GG35M9G7172806	E488524
3. 074	CS	1991 CHEV SPORTVAN VIN #1GNGG35KM7127837	E336985
4. 075	CS	1993 CHEV SPORTVAN VIN #2GNGGC5K8P4104097	E342045
5. 077	CS	1988 CHEV SPORTVAN VIN #1GNGG35K1J7128866	E099603
6. 078	CS	1988 CHEV SPORTVAN VIN #1GNGG35K1J7129578	E099602

AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TECHNICAL ASSISTANCE AND PROGRAMMATIC COMPLIANCE AND REPORTING SERVICES WITH THE OLDTIMERS FOUNDATION

This Amendment is made and entered into this 28th day of June 2004 by and between the City of Bell (hereinafter referred to as "CITY"), and Oldtimers Foundation (hereinafter referred to as "OPERATING AGENCY").

1. **DESCRIPTION OF WORK**

   CITY shall provide technical assistance services for the operation of the OPERATING AGENCY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) Program. The specific services to be provided shall be as set forth in Exhibit "A", Scope of Services.

2. **TIME OF PERFORMANCE**

   This Agreement shall become effective upon the date of execution and shall remain in full force and effect subject to the termination provision as set forth in Section 4, Termination of Agreement.

3. **COMPENSATION AND METHOD OF PAYMENT**

   For performance of such services, the OPERATING AGENCY shall pay CITY for eligible incurred costs at an hourly rate of $59.00 per hour, on an as-needed basis. The CITY shall submit to the OPERATING AGENCY, on a monthly basis, on or before the tenth calendar day of each month, an invoice. Payment to the CITY shall be made within thirty (30) days from the date of submission of properly detailed invoice.

4. **TERMINATION OF AGREEMENT**

   This Agreement may be terminated by either party by giving written notice at least thirty (30) days prior to termination, or unless a shorter period is accepted by both parties.

5. **RECORDS AND AUDITS**

   The CITY shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to this Agreement and such other records as may be deemed necessary by the OPERATING AGENCY to assure proper accounting for all project funds, both federal and non-federal shares. These records will be available for audit purposes to the OPERATING AGENCY or any authorized representative, and will be retained for the five years after the expiration of the Agreement unless permission to destroy them is granted by the OPERATING AGENCY.

6. INTEREST OF MEMBERS OF THE CITY

No member of the governing body of the CITY and no other officer, employee, or agent of the CITY who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Agreement; and the OPERATING AGENCY shall take appropriate steps to assure compliance.

7. INDEPENDENT CONTRACTOR

The CITY shall perform the services as contained herein as an independent contractor and shall not be considered an employee of the OPERATING AGENCY or under OPERATING AGENCY supervision or control. This agreement is by and between the OPERATING AGENCY and CITY and is not intended, and shall not be construed, to create the relationship of agent, servant, employee, partnership, joint venture, or association, between the CITY and the OPERATING AGENCY.

8. SUCCESSOR AND ASSIGNMENT

The services as contained herein are to be rendered by the CITY whose name is as appears first above written and said CITY shall not assign nor transfer any interest in this Agreement without the prior written consent of the OPERATING AGENCY.

9. INDEMNIFICATION

The CITY agrees to indemnify, defend and save harmless its Agents, (i.e., program CITY and inspectors) officers and employees from and against any and all liability, expense, including defense costs an reasonable legal fees, and claims for damages of any nature whatsoever including, but not limited to, bodily injury, death, personal injury, or property damage arising from the negligent acts errors or omissions of CITY operations, or its services hereunder, including any workers compensation suit, liability, or expense, arising from or connected with the services performed by or on behalf of CITY by the CITY'S agents any person pursuant to this Agreement.

10. INSURANCE

A. Liability Insurance:

Without limiting the CITY'S indemnification of the OPERATING AGENCY, THE CITY shall provide and maintain at its own expense during the term of this Agreement the following program of insurance covering its operation hereunder. The CITY agrees to provide and maintain liability insurance which shall protect OPERATING AGENCY its officers, employees and agents, from all claims for personal injury, including accidental deaths, as well as claims for property damage. Such insurance shall be provided by insurer(s) with the best rating of A or better to the OPERATING

AGENCY and evidence of such programs shall be delivered to the OPERATING AGENCY on or before the effective date of this Agreement.

B. Worker's Compensation Insurance

The CITY shall comply with Section 3800 of the Labor Code by securing, paying for and maintaining in full force and effect for the duration of this Agreement, complete Workers' Compensation insurance.

11. SEVERABILITY

In the event that any covenant, condition or other provisions contained is held to be invalid, void or illegal by any court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way affect, impair or invalidate any other covenant, condition or other provision contained herein. If such condition, covenant or other provision shall be deemed valid to the extent of the scope of breath permitted law.

12. ENTIRE AGREEMENT

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to retention of CITY by the OPERATING AGENCY and contains all the covenants and agreements between the parties with respect to such retention.

13. AMENDMENT

This writing, with attachments expressly referenced and incorporated herein, embodies the whole of the Agreement of the parties hereto. Except as herein provided, addition to or variation of the terms of this Agreement shall not be valid unless made in the form of a written amendment of this Agreement formally approved and executed by both parties.

14. WAIVER

No breach of any provision hereof can be waived unless in writing. Waiver of any one breach of any provision shall not be deemed to be a waiver of any other breach of the same or any other provision hereof.

15. CHANGES

The OPERATING AGENCY may request changes in the scope of the services of the CITY to be performed hereunder. Such changes, which are mutually agreed upon by and between the OPERATING AGENCY and the CITY, shall be incorporated in written amendments to this Agreement.

16. PERSONNEL

CITY represents that it has, or will secure at its own expense all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with the OPERATING AGENCY. All of the services required hereunder will be performed by CITY or under its supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under the state and local law to perform such services.

17. NOTICES

A. to the OPERATING AGENCY: Oldtimers Foundation
3355 E. Gage Avenue
Huntington Park, California 90255

B. to the City: City Clerk
City of Bell
6330 Pine Avenue
Bell, California 90201

18. COMPLIANCE WITH LAWS

All parties agree to be bound by applicable Federal State and local laws, Ordinances, regulations and directives as they pertain to the performance of this Agreement.

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

CITY:

Chief Administrative Officer

OPERATING AGENCY:

Oldtimers Foundation

ATTEST:

Theresa Diaz
City Clerk

Exhibit A

Scope of Services

Technical assistance provided to Oldtimers Foundation in the administration and management of its Community Development Block Grant Program (CDBG) may include the following services:

- Provide general oversight and technical assistance for the administration and implementation of Oldtimers Foundation CDBG projects and activities.
- Coordinate and provide technical support, programmatic and financial monitoring and audit preparation for all programmatic monitoring required by contracting cities under responsibility to the federal Department of Housing and Urban Development through the County of Los Angeles, Community Development Commission, and draft responses to any monitoring findings or concerns, including corrective action plans, if necessary.
- Ensure compliance with all applicable federal, state and local laws and policies including maintaining current files of CDBG regulations

City of Bell
Agenda Report

DATE: March 14, 2012

TO: Mayor and Members of the City Council

FROM: Arne Croce, Interim Chief Administrative Officer

APPROVED BY: _____
Arne Croce, Interim Chief Administrative Officer

SUBJECT: Draft City Council and Expense Reimbursement Policies and Procedures

RECOMMENDATION

Review and provide direction to staff on the draft City Council and Expense Reimbursement policies and procedures.

BACKGROUND AND DISCUSSION

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

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

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

Also attached is a draft of an Expense Reimbursement policy for this City. The purpose of this policy is to provide clear direction to the Council and staff on incurring costs while performing City business.

Staff will take the feedback and direction provided by the City Council and bring forward policies and procedures recommended for adoption at a future regular Council meeting.

CITY OF BELL

DRAFT CITY COUNCIL POLICIES AND PROCEDURES

PRESENTED AS A STUDY ITEM AT THE

MARCH 14, 2012 COUNCIL MEETING

CITY OF BELL

CITY COUNCIL POLICIES AND PROCEDURES

DRAFT—MARCH 5, 2012

Introduction

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

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

Section 1: City Council Personal Code of Conduct

POLICY

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

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

PROCEDURES

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

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

1. Act in the Public Interest

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

2. Comply with the Law

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

3. Conduct of Members

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

4. Respect for Process

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

5. Conduct of Public Meetings

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

6. Decisions Based on Merit

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

7. Communication

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

8. Coordination with City Staff

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

9. Disclosure of Suspected Corruption

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

10. Conflict of Interest

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

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

11. Gifts and Favors

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

12. Confidential Information

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

13. Use of Public Resources

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

14. Representation of Private Interests

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

15. Advocacy

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

16. Improper Influence

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

17. Policy Role of Members

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

18. Positive Work Environment

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

19. Implementation

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

20. Compliance and Enforcement

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

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

DRAFT

_____ _____

Signature Date

Section 2: City Council Meetings

POLICY

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

PROCEDURES

Decorum

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

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

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

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

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

Councilmembers shall refrain from using personal electronic devices during the meeting.

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

Agenda

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

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

Order of Business

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

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

DRAFT

Consent Calendar

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

Public Comment

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

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

b) Public comment on items within the scope of the City's jurisdiction that are not on the agenda will be taken after completion of the Agenda, unless a majority of the Council agrees to take public comment at beginning or the end of the meeting.

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

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

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

Conduct of Public Hearings

Public hearings shall be conducted according to the following procedures:

1) Staff presentation.

2) Council questions of clarification to staff.

3) Applicant/appellant presentation

4) Council questions to applicant and/or staff.

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

6) Open public hearing for comments.

7) Applicant/appellant response to public comments

8) Close of public hearing

9) Staff response to public and applicant/appellant comments

10) Council questions to staff and/or applicant

11) Council discussion.

12) Council motions and voting

Miscellaneous Rules

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

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

Study Sessions

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

Minutes of the Meeting

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

Section 3: Ad hoc Council Committees

POLICY

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

PROCEDURES

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

Section 4: Council-Staff Assignments

POLICY

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

PROCEDURE

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

Section 5: Potential Conflicts of Interest

POLICY

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

PROCEDURE

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

Section 6: Correspondence from Councilmembers

POLICY

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

PROCEDURES

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

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

3. Individual members of Council may prepare letters to constituents in response to inquiries or to provide requested information. Staff can assist in the preparation of such correspondence. City letterhead may be used and, whether City letterhead is used or not, Council members are required to place a copy on file in the Office of the City Clerk. Such letters shall be considered Public Records.

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

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

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

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

Section 7: Correspondence to Councilmembers

POLICY

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

PROCEDURES

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

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

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

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

Section 8: Representation on external organizations

POLICY

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

PROCEDURE

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

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

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

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

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

Section 9: Participation in Conferences, Trainings and Educational Events

POLICY

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

PROCEDURES

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

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

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

Section 10: Use of City Images

POLICY

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

PROCEDURES

Councilmembers will refrain from using the City logo or other approved image on any personal correspondence, printed media or website.

DRAFT

Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

LEAGUE OF CALIFORNIA CITIES

MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and automony of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order.*

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move ... "

A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings."

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion,** for example, "A motion at this time would be in order."
2. **Suggesting a motion to the members of the body,** "A motion would be in order that we give a 10-day notice in the future for all our meetings."
3. **Making the motion.** As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed,* it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed,* the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed,* the chair would then move to consider the main motion (the first motion) as *amended.* If the motion to amend *failed,* the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended,* would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion can contain a specific time in which the item can come back to the body. "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, "I move the previous question" or "I move the question" or "I call the question" or sometimes someone simply shouts out "question." As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a "request" rather than as a formal motion. The chair can simply inquire of the body, "any further discussion?" If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the "question" as a formal motion, and proceed to it.

When a member of the body makes such a motion ("I move the previous question"), the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item.* This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," or "I move the question," or "I call the question," or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it's pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the "no" votes and double that count to determine how many "yes" votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote "no" then the "yes" vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote "abstain" or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

How does this work in practice?
Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote? Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

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CITY OF BELL EXPENSE REIIMBURSEMENT POLICY

DRAFT PRESENTED AS A STUDY ITEM AT MARCH 14, 2012 CITY COUNCIL MEETING

POLICY

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

Authorized Expenses

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

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

All other expenses require prior approval by the City Council.

The City will not reimburse the following expenses:

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

Cost Control

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

Transportation

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

Airfare

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

Automobile

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

Car Rental

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

Taxis/Shuttles

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

Lodging

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

Conferences/Meetings

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

Meals

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

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

Telephone/Fax/Cellular

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

Internet

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

Airport Parking

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

Expense Reports

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

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

Expense reports are a public record.

Audits of Expenses

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

Violation of this Policy

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