

**LYNWOOD CITY COUNCIL
REGULAR MEETING
DECEMBER 16, 2008**

The City Council of the City of Lynwood met in a regular meeting in the Council Chambers, 11330 Bullis Road on the above date at 5:10 p.m.

Mayor Santillan presiding.

Council Members Castro, Flores, Morton, Rodriguez, and Santillan were present.

Also present were City Manager Haley, City Attorney Galante, City Clerk Quinonez and City Treasurer Alatorre.

City Clerk Quinonez announced that the Agenda had been duly posted in accordance with the Brown Act.

Item # 6 PRESENTATIONS/PROCLAMATIONS

Sheriff Captain James Hellmold – Update on Law Enforcement Issues – He thanked the City Council Members for their support of the Sheriffs Explorers. He stated that the Sheriffs Explorers are very helpful during City events. A Youth Leadership class is scheduled tonight at the Century Sheriffs station. Over the weekend, there was a check point which was very successful. There was Less traffic and only five arrests were made. Regarding prostitution, there is less activity and fewer complaints along Long Beach Boulevard. He stated that the first phase of the A.S.A.P. camera installations has been very successful. He would like to target heavy gang areas with the A.S.A.P. cameras. He will present the City Council with a year end report. Murders have been decreased under his command. Aggravated assaults have decreased significantly more than 13%. Armed robberies have decreased by 38%.

- “Day Without A Bag” Proclamation
- City Council Member Reporting on Meetings Attended (Gov. Code Section 53232.3(D))

**Item # 7 COUNCIL RECESS TO:
LYNWOOD REDEVELOPMENT AGENCY 5:25**

PUBLIC ORAL COMMUNICATIONS
(Agenda Items Only)

Victor Caballero spoke on item #29 – CONSIDERATION OF A TOWING SERVICE PROVIDER – He stated that the staff roster for International Tow was not included in the staff report. He stated that International Tow is located approximately .5 miles from the City of Lynwood. His company is in process of acquiring a heavy truck, which is important for towing tractors or trailers. He stated that H.P.'s towing fees were excessive, which were in contrast to International's towing fees.

Irene Garcia spoke on item #19 – REDFLEX PHOTO RED LIGHT ENFORCEMENT PROGRAM – AGREEMENT RENEWAL – She asked the City Council to implement a monitoring system which would monitor employee arrival times. Item #23 - DECLARING THE RESULTS AND RECITING THE FACTS OF THE SPECIAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008 – She stated that only Lynwood residents should have voted in the election. Item #31 - REQUEST FOR SPECIAL PERMIT: LOUISE STREET POSADA – She did not want this item to be approved. Item #32 - REQUEST FOR SPECIAL PERMIT: DUNCAN AVENUE POSADA - She did not want this item to be approved. Item #33 - ITEM CONTINUANCE – REVIEW OF BOARD

RESOLUTION NO. 2008.200 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD APPROVING THE WELL NO. 9 REHABILITATION PROJECT AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO MAKE THE NECESSARY FUNDS APPROPRIATION AND TRANSFER".

AYES: COUNCIL MEMBERS CASTRO, FLORES, MORTON, RODRIGUEZ,
AND SANTILLAN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #14 ACCEPTANCE OF AN IRREVOCABLE OFFER OF DEDICATION AT 3333 JOSEPHINE STREET

This item was pulled by Mayor Santillan. She needed clarification on this item.

Dan Ojeda, the Director of Public Works, stated that this item is for a homeowner's Development permit, in regards, to the additional five feet needed for the construction of a sidewalk in front of the house.

City Attorney Galante stated that the county generally does not allow the City to record a dedication unless the City accepts the dedication. As part of the development, this is a condition of approval that property is given to the City, if street expansion is needed in the future, therefore; the county requires a resolution approving the action.

Mayor Pro Tem Castro asked if this information was given to the homeowner in Spanish, since the homeowner is Spanish speaking.

Dan Ojeda stated that he will look into the matter and provide the information to the homeowner if that has not been done.

RESOLUTION NO. 2008.201 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION FOR STREET PURPOSES AT 3333 JOSEPHINE STREET".

After discussion, it was moved by Mayor Pro Tem Castro, seconded by Mayor Santillan to adopt the resolution.

AYES: COUNCIL MEMBERS CASTRO, FLORES, MORTON, RODRIGUEZ,
AND SANTILLAN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Item #19 REDFLEX PHOTO RED LIGHT ENFORCEMENT PROGRAM - AGREEMENT RENEWAL

This item was pulled by Mayor Pro Tem Castro. She stated that she was concerned about imposed quotas by Redflex. She stated that if the quota of \$5,000 is not met, eventually, the City will have to supply the funds to meet the quota. She wanted to know if the City did a comparison study regarding other companies.

City Attorney Galante pointed out the paragraph at the top of page 26 under the header of Cost Neutrality. He proceeded to read, "Cost Neutrality is assured to the customer. The customer will never be required to pay Redflex more than actual cash received from automated red light violations." City Attorney Galante made sure that that the provision was added to protect the City.

Mayor Pro Tem Castro stated that there was a clause, which stated that if the quota is not met the City will eventually have to supplement to meet the quota.

Mayor Santillan wanted to know how effective the cameras have been and how much money can be generated from the surveillance cameras.

Mayor Pro Tem Castro stated that the paragraph she was looking for regarding the \$5,000 quota was on page 3 and that City Attorney Galante will look into the matter. She proceeded to read the paragraph, "Per the new contract cost neutrality is assured to the City. The City will never be required to pay Redflex program basically pays for itself through the citations paid through the courts. In the event the City does not meet the monthly threshold of \$5,000, those costs will be offset later into the cycle after the distribution of revenues catches up."

Deborah Jackson, the Director of Neighborhood Services, stated that at the intersection of Imperial Highway and Long Beach Boulevard, the City averages about 80 tickets per month at \$341.00 per ticket. Redflex, for the first three violations receives \$89.00 and for every ticket after that they receive \$80.00 per ticket. She stated that Redflex does not control the timing of the lights.

Detective Parra stated that Cal Trans sets the standards for the timing of the lights. It is monitored daily by Redflex daily to make sure they are in compliance.

Deborah Jackson stated that the City has generated \$87,846 as of September 2008, in a nine month period. Since 2004, the City generated \$348,038 in revenue from the Redflex cameras.

Council Member Morton requested to have a presentation by Redflex at a later date.

Mayor Pro Tem Castro wanted to know what the net proceeds were.

Council Member Rodriguez stated that the net proceeds are \$87,000.

City Attorney Galante stated that paragraph 27 clarifies that the cost neutrality provisions do not apply, such as if the City fails to approve violations in good faith by a certain date. If the City is not performing per the contract, he stated that the comment in the staff report were not completely accurate, which previously caused concerns.

On page 24, item number 2 under Maintenance, City Attorney Galante read, "Redflex shall not open the Traffic Signal Controller Boxes without a representative of City Traffic Engineering present." He also read a portion of Paragraph 6, "Redflex shall have the equipment and the functionality of the Redflex System at each of the Designated Intersection Approaches inspected and tested no less than once annually by an independent laboratory mutually agreeable to Redflex and the City." City Attorney Galante stated, "We have instituted some protections for the concern that was raised by the resident."

RESOLUTION NO. 2008.202 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD TO RENEW THE EXISTING AGREEMENT WITH REDFLEX TRAFFIC SYSTEM FOR FIVE (5) YEARS AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT".

After discussion, it was moved by Mayor Pro Tem Castro, seconded by Mayor Santillan to adopt the resolution with the removal of the incorrect statement made by staff.

AYES: COUNCIL MEMBERS CASTRO, FLORES, MORTON, RODRIGUEZ,
AND SANTILLAN
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE