

**ALL ITEMS FOR CONSIDERATION BY THE CITY COUNCIL/COMMISSION  
ARE AVAILABLE FOR PUBLIC VIEWING IN THE OFFICE OF THE CITY  
CLERK AND THE CENTRAL LIBRARY**

**Agendas and other writings that will be distributed to the Councilmembers and Commissioners in connection with a matter subject to discussion or consideration at this meeting and that are not exempt from disclosure under the Public Records Act, Government Code Sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22, are available for inspection following the posting of this agenda in the City Clerk's Office, at Commerce City Hall, 2535 Commerce Way, Commerce, California, and the Central Library, 5655 Jillson Street, Commerce, California, or at the time of the meeting at the location indicated below.**

**AGENDA FOR THE CONCURRENT REGULAR MEETINGS OF  
THE CITY COUNCIL OF THE CITY OF COMMERCE AND  
THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION  
COUNCIL CHAMBERS  
5655 JILLSON STREET, COMMERCE, CALIFORNIA**

**TUESDAY, AUGUST 18, 2009 – 6:30 P.M.**

**CALL TO ORDER**

Mayor/Chairperson Aguilar

**PLEDGE OF ALLEGIANCE**

Jim Jimenez  
Director of Parks and Recreation

**INVOCATION**

Councilmember/Commissioner Leon

**ROLL CALL**

City Clerk/Assistant Secretary Olivieri

**APPEARANCES AND PRESENTATIONS**

**PUBLIC COMMENT**

Citizens wishing to address the City Council/Commission on any item on the agenda or on any matter not on the agenda may do so at this time. However, State law (Government Code Section 54950 et seq.) prohibits the City Council/Commission from acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. Upon request, the City Council/Commission may, in their discretion, allow citizen participation on a specific item on the agenda at the time the item is considered by the City Council/Commission. Request to address City Council/Commission cards are provided by the City Clerk/Assistant Secretary. If you wish to address the City Council/Commission at this time, please complete a speaker's card and give it to the City Clerk/Assistant Secretary prior to commencement of the City Council/Commission meeting. Please use the microphone provided, clearly stating your name and address for the official record and courteously limiting your remarks to five (5) minutes so others may have the opportunity to speak as well.

To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

No person shall make any remarks which result in disrupting, disturbing or otherwise impeding the meeting.

**CONSENT CALENDAR**

# CONCURRENT REGULAR COUNCIL/CDC AGENDA

08/18/09 – 6:30 p.m.

Page 2 of 5

Items under the Consent Calendar are considered to be routine and may be enacted by one motion. Each item has backup information included with the agenda, and should any Councilmember/Commissioner desire to consider any item separately he/she should so indicate to the Mayor/Chairperson. If the item is desired to be discussed separately, it should be the first item under Scheduled Matters.

1. Approval of Warrant Register No. 25, dated August 18, 2009

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 25, dated August 18, 2009.

2. Approval of Subscriber Agreement for Westlaw®

Westlaw® is an online subscription service to the California Annotated Codes and includes additional legal resource materials that will be useful to the City in the preparation of future ordinances and in keeping abreast of the laws and litigation affecting municipalities.

The **City Council** will consider for approval the Subscriber Agreement for Westlaw® for a 36-month period and authorizing the execution of the West Order Form and other documents related thereto.

3. Adoption of Revised and New City of Commerce Personnel Policies and Procedures

The **City Council** will consider adopting the revised Driver's License Requirement Policy I-13 and the new Reference/Background Checks Policy I-15 and Violence in the Workplace Policy III-4 and authorize the City Administrator and Director of Human Resources to execute the revised and new policies.

4. Prop A Fund Exchange - City of West Covina

The **City Council** will consider for approval the Prop A Fund Trade Agreement with the City of West Covina, exchanging \$705,000 of the City's General Fund for \$940,000 of West Covina's Prop A Funds for fiscal year 2009-10, and authorizing staff to execute the Agreement therefor.

Prop A Funds in the County of Los Angeles are restricted for transit purposes only. By exchanging the unrestricted General Fund dollars for other cities' Prop A Funds, the City is able to minimize the amount of subsidy the General Fund must provide to the City's Transit Fund.

5. Agreement Renewal – County of Los Angeles Probation Department – Prevention and Intervention Program (PIP)

The **City Council** will consider renewing the County of Los Angeles Probation Department Agreement to provide a Prevention and Intervention Program (PIP) for the period of September 1, 2009, through August 31, 2010.

The Prevention and Intervention Program (PIP) has been in existence with the City of Commerce since 1990. The PIP continues to be an important factor in the deterrence of juvenile delinquency activity and undermining gang activity throughout the City of Commerce. The Agreement includes service for juveniles and adults.

6. Fourth Amendment to Addendum to Standard Industrial/Commercial Single-Tenant Lease-Net with Commerce Hyundai for Commission-owned Property Located at 5440 Telegraph Road

# CONCURRENT REGULAR COUNCIL/CDC AGENDA

08/18/09 – 6:30 p.m.

Page 3 of 5

The **Commission** will consider for approval, and authorizing the execution of, the Fourth Amendment to Addendum to Standard Industrial/Commercial Single-Tenant Lease-Net with Commerce Hyundai for Commission-owned property located at 5440 Telegraph Road.

7. New Classifications for Competitive Aquatics Program, Authorization to Transfer FTE to New Classifications and Assignment of Pay Grade Thereto

The **City Council** will consider for approval, and authorizing staff to amend, the Classification Plan to create new classification for Assistant Swim Coach, Class #5227, and Assistant Water Polo Coach, Class #5226. Further, the City Council will consider transferring FTE (full-time equivalents) from the approved Instructor Guard FTE to the new classifications and assigning the pay grade 13.5 thereto.

8. Proposal Letter from Remy, Thomas, Moose and Manley, LLP. and Fee/Retainer Agreement for Specialized Legal Services in Connection With Environmental Review of Washington Boulevard Improvement Project

The **City Council** will consider for approval the proposal letter from Remy, Thomas, Moose and Manley, LLP (RTMM) and authorizing the City Administrator to enter into a Fee/Retainer Agreement with the law firm for legal services as outlined in the letter proposal, subject to the review and approval of the City Attorney, for review and assistance with Environmental Impact Report (EIR) preparation currently underway for the Washington Boulevard Improvement Project.

9. Proclamation – “National Preparedness Month”

The U.S. Department of Homeland Security and other agencies have proclaimed the month of September 2009 as “National Preparedness Month”. The purpose of this designation is to promote basic steps that all Americans can take to prepare for emergencies. The City of Commerce is committed to increasing public awareness for its community regarding procedures to follow during any emergency or disaster.

The **City Council** will consider for approval a Proclamation proclaiming the month of September 2009 as “National Preparedness Month” in the City of Commerce.

10. A Resolution of the City Council of the City of Commerce, California, Finding the City to be in Conformance With the Congestion Management Program (CMP) and Adopting the CMP Local Development Report, in Accordance with California Government Code Section 65089

The **City Council** will consider for approval and adoption a proposed Resolution finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089.

11. A Resolution of the City Council of the City of Commerce, California, Approving the Purchase of One (1) Bus From North American Bus Industries (NABI) Using ARRA Funds

The **City Council** will consider for approval and adoption a proposed Resolution approving the purchase of one (1) bus from North American Bus Industries using American Recovery and Reinvestment Act of 2009 (ARRA) Funds. The new CNG bus will replace one of the City’s two remaining diesel buses.

# CONCURRENT REGULAR COUNCIL/CDC AGENDA

08/18/09 – 6:30 p.m.

Page 4 of 5

12. A Resolution of the City Council of the City of Commerce, California in Support of the Social Host Liability and Prohibition Against Underage Drinking

The **City Council** will consider for approval and adoption a proposed Resolution in support of the social host liability and prohibition against underage drinking. The proposed Resolution will be considered at the League of California Cities Annual Business Meeting scheduled for September 18, 2009, in San Jose, California.

13. A Resolution of the City Council of the City of Commerce, California Urging City Governments and Others to Divest From Banks That Fail to Cooperate With Foreclosure Prevention Efforts

The **City Council** will consider for approval and adoption a proposed Resolution in support of urging city governments and others to divest all deposits from banking and other financial institutions that fail to cooperate with foreclosure prevention efforts. The proposed Resolution will be considered at the League of California Cities Annual Business Meeting scheduled for September 18, 2009, in San Jose, California.

## PUBLIC HEARINGS

### SCHEDULED MATTERS

14. Water Rate Status – Update and Presentation

At the request of Councilmember Fierro, the **City Council** will receive an update and presentation on the status of water rates in the area and how they impact the City and its residents. Further, at its discretion, the City Council will consider directing staff to take any appropriate action that the City Council deems necessary in order to best express the City's and community's concerns in this matter.

15. Presentation From U.S. Small Business Administration (SBA) on SBA Program/Services

The **City Council** will receive a presentation from the U.S. Small Business Administration (SBA) regarding SBA resources available to the community and direct staff to coordinate services with the SBA as needed.

16. Discussion of U.S. Census Bureau's Complete Count Committee

The **City Council** will receive a report on, and at its discretion provide staff with direction with respect to, the U.S. Census Bureau's Complete Count Committee.

17. Revision Personnel Classification Plan

The **City Council** will consider for approval revisions to the Citywide Personnel Classification Plan and the newly created classifications included in the Plan and reclassifying five (5) incumbents into the City's current associated salary ranges and classifications.

18. Commission Appointment

The **City Council** will make the appropriate appointment to the following Commission: Parks and Recreation Commission.

## ORDINANCES AND RESOLUTIONS

# CONCURRENT REGULAR COUNCIL/CDC AGENDA

08/18/09 – 6:30 p.m.

Page 5 of 5

19. A Resolution of the City Council of the City of Commerce, California, Establishing a Council Finance and Budget Oversight Committee and Appointment of Two Councilmembers to Sit on Said Committee

The **City Council** will consider for approval and adoption a proposed Resolution establishing a Council Finance and Budget Oversight Committee in accordance to the Financial Policies adopted on June 2, 2009, specifically Financial Policy #10, to review and keep the City Council advised of the City's financial condition. Further, the City Council will consider appointing two of its members to serve on said Committee as provided in the proposed Resolution.

## LEGISLATIVE UPDATE

20. Report on Pending Legislation

The **City Council** and **Commission** will receive an update on, and take appropriate action with respect to, legislative items of concern to the City and Commission.

## CITY COUNCIL/COMMISSION REPORTS

### RECESS TO CLOSED SESSION

21. Pursuant to Government Code §54956.8,

A. The Commission will confer with its real property negotiators, Jorge Rifa, Bob Zarrilli and John Yonai, with respect to real estate negotiations with Steve Craig, of Craig Realty, including proposed price and other terms, concerning the proposed Commerce Boardwalk (Urban Entertainment Center) Project, located along Telegraph Road, South of Gaspar Avenue and North of the Commerce Casino [Tubeway Avenue], at 5809, 5819, 5823, 5901/5903, 5933, 5959, 6001, 6003 and 6051 Telegraph Road; 2240 Gaspar Avenue; 2311, 2322 and 2366 Travers Avenue and 2331 Tubeway Avenue, Commerce California; Frazee Commerce Properties, Ltd, including proposed price and other terms, concerning 2366 Travers Avenue, Commerce, California; Justman Family Trust, Morley Justman Co., Trustee, including proposed price and other terms, concerning 5823 Telegraph Road, Commerce, California; Russell E. Justman, including proposed price and other terms, concerning 5819 Telegraph Road, Commerce, California, and California Commerce Club, Inc., including proposed price and other terms concerning 6051 Telegraph Road and 2331 Tubeway Avenue, Commerce, California.

22. Pursuant to Government Code §54956.9(b),

A. The **City Council** will confer with its legal counsel, and take the appropriate action, with respect to significant exposure to litigation in two potential cases.

B. The **Commission** will confer with its legal counsel, and take the appropriate action, with respect to significant exposure to litigation in one potential case.

## ADJOURNMENT

LARGE PRINTS OF THIS AGENDA ARE AVAILABLE UPON REQUEST  
FROM THE CITY CLERK'S OFFICE, MONDAY-FRIDAY,  
8:00 A.M. - 6:00 P.M.