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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, APRIL 21, 2009 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Aguilar

PLEDGE OF ALLEGIANCE

Montebello Elementary School

INVOCATION

Councilmember/Commissioner Fierro

ROLL CALL

City Clerk/Assistant Secretary Olivieri

APPEARANCES AND PRESENTATIONS

1. Tree City U.S.A. 2008 Award & Recognition of Arbor Day 2009 Poster Contest Winners

On behalf of the National Arbor Day Foundation, a representative of the Los Angeles County Fire Department's Forestry Division will present the Tree City U.S.A. 2008 Award to the City of Commerce Public Services Tree Division.

Recognition awards will also be presented to the winners of the Arbor Day 2009 poster contest from Bandini Elementary School, Laguna Nueva School and Rosewood Park School.

2. Proclamation – 2009 as "Meth Awareness Year"

The Greater East Los Angeles Meth Task Force has proclaimed the Year 2009 as "Meth Awareness Year." They believe that a joint effort in fighting methamphetamines abuse will help encourage funding for meth prevention and treatment at a County and State level. The collaboration of cities, such as the City of Commerce, will help generate much needed awareness in the Community, especially among youth, woman and families.

At the request of Councilmember Leon, with the consent of the **City Council**, the Mayor will proclaim 2009 as "Meth Awareness Year" in the

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City of Commerce. A representative from the Greater East Los Angeles Meth Task Force will be present to receive the Proclamation.

3. Presentation – Certificate of Appreciation to Community Safety Specialist (CSS) Jim Van Derbeck

With the consent of the **City Council**, Captain Henry Romero, of the East Los Angeles County Sheriff's Department will recognize Jim Van Derbeck, Community Safety Specialist, for his dedicated service to the Commerce Business Watch Program and present him with a Certificate of Appreciation.

4. City of Commerce Customer Service Employee Recognition Program: Introduction of First Quarter Award Recipient

The **City Council** will present a plaque to John Marquette, Reference Librarian upon being selected as an award recipient of the Citywide Employee Customer Service Recognition Program for the first quarter of the 2009 calendar year. This quarter's nominees will also receive a Certificate of Appreciation in recognition for their outstanding and dedicated customer service.

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

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.

5. Approval of Warrant Register No. 17, dated April 21, 2009

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 17, dated April 21, 2009.

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6. Proclamation – Proclaiming April 2009 as “DMV/Donate Life California Month”

In recognition of National Donate Life Month, the California Organ and Tissue Donor Registry is encouraging others to become organ and tissue donors, by registering on-line, or when they apply for or renew their driver’s license or I.D. card. More than 100,000 individuals nationwide and more than 20,000 in California are currently on the national organ transplant waiting list.

The **City Council** will consider proclaiming April 2009 as “DMV/Donate Life California Month” in the City of Commerce.

7. Approval of Letter from City of Commerce Opposing Assembly Bill 155, Introduced by Assembly Member Tony Mendoza, Related to Local Agencies Contemplating Bankruptcy

The **City Council** will consider, and take the appropriate action with respect to approving a proposed position letter, signed by the Mayor on behalf of the City of Commerce, opposing Assembly Bill 155, introduced by Assembly Member Tony Mendoza, which requires local agencies contemplating bankruptcy to first obtain approval from the California Debt and Investment Advisory Committee before filing for bankruptcy.

8. Approval of Replacing the Current Plaques with Perpetual Plaques Given to City of Commerce Scholarship Fund Donors

The **City Council** will consider, and take the appropriate action with respect to replacing the current plaques with perpetual plaques given in appreciation to City of Commerce Scholarship Fund donors of \$1,000.00 or more. The perpetual plaque with the donor’s name and the amount donated would be inscribed on a name plate that would be placed on the base of the plaque in a prominent location in the City Hall reception area.

9. A Resolution of the City Council of the City of Commerce, California, Awarding the City of Commerce Central Library Renovation Project to Adrian-Gaus, Inc., of Redlands, California, and Authorizing the Mayor and City Clerk to Execute the Services Agreement to Provide Architectural, Engineering, Project Support and Consultation Services

The **City Council** will consider for approval and adoption a proposed Resolution to award the City of Commerce Central Library Renovation Project to Adrian-Gaus, Inc., of Redlands, California, and authorizing the Mayor and City Clerk to execute the Services Agreement to provide architectural, engineering, project support and consultation services.

PUBLIC HEARINGS

SCHEDULED MATTERS

10. Presentation - South Coast Air Quality Management District (SCAQMD) Regarding Senate Bill 696 - Air Quality and Emission Reduction Credits

The **City Council** will receive a presentation from a South Coast Air Quality Management District (SCAQMD) representative on Senate Bill 696, as it relates to air quality and emission reduction credits.

11. Update Regarding the Proposed Phase II Eastside Light Rail Extension

The **City Council** will receive a report from Metropolitan Transportation Authority (Metro) representative, for receipt and filing, regarding the

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proposed Phase II Eastside Light Rail Extension which involves analyzing possible transit extensions from the recently completed Metro Gold Line Eastside Extension through East Los Angeles and adjoining cities to just beyond the State Route 605.

12. Report - California Cities for Self Reliance Joint Powers Authority (JPA)

At the request of Councilmember Argumedo, the **City Council** will consider receiving a report on the California Cities for Self Reliance Joint Powers Authority's gaming legislative strategy for 2009.

13. City Commission/Committee Appointments

The **City Council** will make the appropriate appointments to the following City Commissions and Committees: Library Commission, Youth Advisory Commission, Beautification Committee, Pageant Steering Committee, I-710 Local Advisory Committee (Ad Hoc), Community Railroad Task Force (Ad Hoc) and Environmental Justice Advisory Task Force.

14. Presentation and Review of Proposed 2009-2010 Fiscal Budget Year

The **City Council** and **Commission** will receive, and consider appropriate action with respect to, the City Administrator/Executive Director's proposed operating budget for the 2009-2010 fiscal year.

The **City Council** and **Commission** will adjourn to Thursday, April 23, 2009, to consider this matter.

ORDINANCES AND RESOLUTIONS

15. An Ordinance of the City Council of the City of Commerce, California, Amending Chapter 6 ("Health and Safety") of the Commerce Municipal Code and Creating Chapter 6.19 – First Reading

The **City Council** will consider for first reading a proposed Ordinance amending Chapter 6 ("Health and Safety") of the Commerce Municipal Code and creating Chapter 6.19 – Water Conservation, and set May 5, 2009, as the date for the public hearing thereon.

16. A Resolution of the City Council of the City of Commerce, California, Approving the Execution of the Administering Agency-Federal Master Agreement No. 07-5362R for Federal-Aid Projects Covering all Phases of Work for the Resurfacing of Washington Boulevard from Fidelia Avenue to Atlantic Boulevard in the City of Commerce

The **City Council** will consider for approval and adoption a proposed Resolution approving the execution of the Administering Agency-Federal Master Agreement No. 07-5362R for Federal-Aid Projects covering all phases of work for the resurfacing of Washington Boulevard from Fidelia Avenue to Atlantic Boulevard in the City of Commerce.

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

17. 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, including proposed price and other terms, concerning the proposed Commerce Boardwalk (Urban Entertainment Center)

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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.

- B. Commerce Hyundai, including proposed price and other terms, concerning real property located at 5440 and 5540 Telegraph Road, Commerce, California.

18. Pursuant to Government Code §54956.9(a),

- A. The **Commission** will confer with its legal counsel, and take the appropriate action, with respect to the pending litigation of Commerce Community Development Commission v. Zvi (AKA Harry) Ryzman and Betty Ryzman, as Trustees of the Ryzman Family Trust, U/D/T August 20, 1989, F/B/O The Ryzman Family, et al., Superior Court of the State of California, County of Los Angeles, Central District, Case No. BC343619.
- B. The **City Council** will confer with its legal counsel, and take the appropriate action, with respect to the pending litigation of Steven Shawn Bagne, et al. v. City of Commerce, et al., Superior Court of the State of California, County of Los Angeles, Case No. BS116198.

19. 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 one potential case.

20. Pursuant to Government Code §54957:

- A. The **City Council** and **Commission** will consider personnel matters related to public employee discipline/dismissal/release/termination of employment agreement and other available changes in employment status or terms and conditions of employment of a certain public employee.
- B. The **City Council** and **Commission** will consider personnel matters related to the appointment of a City Attorney and Commission Counsel.

ADJOURNMENT

Adjourn to Thursday, April 23, 2009, at 6:30 p.m., in the City Council Chambers.

**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.**