

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 19, 2008 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Baca Del Rio

PLEDGE OF ALLEGIANCE

Robert Chavez
Director of Community Services

INVOCATION

Councilmember Argumedo

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

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 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. 3, dated August 19, 2008

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 3, dated August 19, 2008.

2. Approval of Revised Public Access Computer Agreement

The Public Access Computer Agreement is required to be executed by all patrons prior to using the Library's public access computers (PACs). The Agreement explains the requirements and rules for accessing the PACs, the Library's policy on Internet access and the responsibilities of the patrons. The Revised Agreement will facilitate for patrons their access to the PACs and maintain the Library's commitment to free and rapid access to information while safeguarding patrons and staff from being exposed to Internet sites deemed inappropriate.

The **City Council** will consider for approval the Library Services Department's Revised Public Access Computer Agreement, as recommended by the Education Commission and Library Commission.

3. Request For Proposals – Architectural Services for Commerce Aquatorium Locker Room Improvements

The **City Council** will consider authorizing staff to proceed with the issuance of the Request for Proposals for Architectural Services for Commerce Aquatorium Locker Room Improvements.

4. A Resolution of the Commerce Community Development Commission Requesting An Extension of the Terms of the Loan from the City of Commerce for Project Area IV for the Acquisition of the Stahl Trust Property

The **Commission** will consider for approval a proposed Resolution requesting an extension of the terms of the loan from the City of Commerce for payment of project expenses for Project Area IV for the acquisition of the Stahl Trust Property, located at the corner of Washington Boulevard and Telegraph Road, formerly known as the Michael's site.

5. A Resolution of the City Council of the City of Commerce Extending the Terms of the Loan to the Commerce Community Development Commission for Project Area IV for the Acquisition of the Stahl Trust Property

The **City Council** will consider for approval a proposed Resolution extending the terms of the loan to the Commerce Community Development Commission for Project Area IV for the Acquisition of the Stahl Trust Property, located at the corner of Washington Boulevard and Telegraph Road, formerly known as the Michael's site. The Commission will repay all accrued interest to date. The remaining principal and any

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accrued interest will be repaid in within one year from any eligible funds available to the Commerce Community Development Commission.

6. 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 Implementation 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 Implementation Report, in accordance with California Government Code Section 65089.

PUBLIC HEARINGS

SCHEDULED MATTERS

7. City of Vernon Power Plant Project

The **City Council** will (1) receive and file a report on the status of the city of Vernon's application to the California Energy Commission for a 943 megawatt power generating facility in Vernon.; (2) consider approval of a comment letter to the California Energy Commission relating to the recent Los Angeles Superior Court ruling; (3) consider approval of a comment letter to the South Coast Air Quality Management District relating to the recent Los Angeles Superior Court ruling; and (4) determine whether to continue with or reschedule the Vernon Power Plant Vigil scheduled for Tuesday, September 30, 2008 to a future date.

8. Ratification of Letter of Comment – Middle Harbor Redevelopment Project Draft Environmental Impact Report, Port of Long Beach, California

The **City Council** will consider for ratifying a letter of comment, executed by Mayor Pro Tempore Aguilar and sent to the Port of Long Beach, California, concerning the Draft Environmental Impact Report (EIR) prepared for the Middle Harbor Redevelopment Project, which consisted of three distinct elements that included a Draft EIR, Draft Environmental Impact Statement (EIS) and Application Summary Report. The letter of comment requests that the incomplete analysis contained in the Draft EIR/EIS be expanded to consider the proposed project's impacts on the City of Commerce and its residents. Further, the letter points out that the City believes that the revisions need to be re-circulated, allowing the City, with significant intermodal facilities in the service to the Port of Long Beach, to have an opportunity to clearly understand the proposed project's impact on the community.

9. Review of Potential Fiscal Impact of State Budget Crisis on City of Commerce

The **City Council and Commission** will receive a report on, and take the appropriate action with respect to, the potential fiscal impact the State budget crisis may have on the City of Commerce.

10. League of California Cities Participation

The **City Council** will consider participating at the League of California Cities Annual Business Meeting on Saturday, September 27, 2008, to vote on four resolutions during the 2008 League Conference and Exposition, to be held on September 24-27, 2008, in Long Beach, California. The resolutions relate to League Bylaws Amendments, 2-1-1 California

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Telephone Service, Extension of Federal Section 45 Production Tax Credit and Comprehensive Statewide Water Infrastructure Plan.

11. Alternate Appointment – League of California Cities

The **City Council** will consider designating one of its members to serve as a second alternate delegate to the League of California Cities to attend the 2008 League Conference and Exposition to be held on September 24-27, 2008, in Long Beach, California.

12. Commission and Committee Appointments

The **City Council** will make the appropriate appointments to the following Commissions and Committees: Education Commission, Parks and Recreation Commission, Youth Advisory Commission, Housing Committee, I-710 Local Advisory Committee and Pageant Steering Committee.

ORDINANCES AND RESOLUTIONS

13. A Resolution of the City Council of the City of Commerce, California, (1) Repealing City Council Resolution No. 08-27; and (2) Requesting the Board of Supervisors of the County of Los Angeles To Render Specified Services To the City Relating To the Conduct of the Special Municipal Election To Be Held on Tuesday, November 4, 2008, and To Be Consolidated With the Statewide General Election To Be Held on the Same Date

The **City Council** will consider for approval and adoption a proposed Resolution (1) repealing Resolution No. 08-27, which was approved and adopted on July 15, 2008; and (2) requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of the Special Municipal Election to be held on Tuesday, November 4, 2008, and to be consolidated with the Statewide General Election to be held on the same date, in compliance with a court ruling relating thereto handed down on Monday, August 11, 2008.

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

14. Pursuant to Government Code §54956.8, the **Commission** will confer with its real property negotiators, Jorge Rifa, Bob Zarrilli and John Yonai, with respect to real estate negotiations with:
- A. 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; Dura Carpet Supply Company, 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.

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- B. Nederlander Organization, including proposed price and other terms, concerning real property located at 6329 and 6355 Washington Boulevard, Commerce, California, commonly referred to as the Stahl Trust Property.

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

- A. The City Council will confer with its legal counsel, and take the appropriate action with respect to the pending litigation of Commerce Community Development Commission v. Frazee (Dura Carpet), State of California, Los Angeles County Superior Court, Case No. BC361075.

16. 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.
- 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.

17. Pursuant to Government Code §54957,

The **City Council** and **Commission** will conduct a six-month performance evaluation of the City Administrator/Executive Director

ADJOURNMENT

Adjourn in memory of Juan Abel Escalante, Los Angeles County Sheriff's Deputy.

**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.**