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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, JANUARY 20, 2009 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Argumedo

PLEDGE OF ALLEGIANCE

Teresa McAllister
Director of Human Resources

INVOCATION

Councilmember/Commissioner Aguilar

ROLL CALL

City Clerk/Assistant Secretary Olivieri

APPEARANCES AND PRESENTATIONS

1. Commendation – Honoring Terry Salas Ortiz Upon Her selection as “Teacher of the Year” by Rio Hondo Boys and Girls Club

At the request of Councilmember Aguilar, the **City Council** will present a Commendation to City employee Terry Salas Ortiz, who is a teacher at Cesar Chavez Elementary School, in recognition of her selection as “Teacher of the Year” by the Rio Hondo Boys and Girls Club.

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.

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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.

2. Approval of Warrant Register No. 12, dated January 20, 2009

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 12, dated January 20, 2009.

3. Surplus Vehicles

The **City Council** will consider declaring certain City vehicles as surplus and authorizing the sale thereof at public action. This equipment is in poor condition and no longer cost effective to maintain. Further, the City Council will consider authorizing staff to retain one vehicle for donation to the City's Sister City of Aguascalientes, Aguascalientes, Mexico.

4. Approval of 2009 City of Commerce Civic and Service Organization Listing

The **City Council** will consider for approval the 2009 Civic and Service Organization listing, as recommended by the Parks and Recreation Commission.

5. LNG/CNG Fueling Station Design-Build Proposal

The **City Council** will consider accepting the LNG/CNG Fueling Station Design-Build Proposal submitted by General Physics, in an amount not-to-exceed \$2,853,940, and directing staff to prepare an Agreement for the subject project for the Council's later approval.

6. Request for Proposal for Construction Management and Inspection Services for Washington Boulevard Pavement Improvement Project from Fidelia Avenue to Atlantic Boulevard

The **City Council** will consider for approval, and authorizing staff to proceed with, the issuance of a Request for Proposal (RFP) to provide Construction Management and Inspection Services for the Washington Boulevard Pavement Improvement Project from Fidelia Avenue to Atlantic Boulevard.

7. Specifications for Cash Contract No. 0901 – Washington Boulevard Pavement Improvement Project from Fidelia Avenue to Atlantic Boulevard [Federal-Funded Project # DPI-5362(012)]

The **City Council** will consider finding the above named project categorically exempt pursuant to the State Guidelines for Implementation of the California Environmental Quality Act; approving the project specifications, as named above, prepared by Transtech Engineers, Inc.,

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and authorizing the Community Development Department to advertise for bids and designate Thursday, February 19, 2009, at 10:00 a.m. as the bid opening date.

8. Request for Proposal for Consulting Services for Preparation of Housing Element for City of Commerce

The **City Council** will consider for approval, and authorizing staff to proceed with, the issuance of a Request for Proposal for preparation of the State mandated Housing Element for the City of Commerce.

9. Appropriation of Funds for Removal and Abatement of Asbestos-Containing Materials and Demolition of Existing Dwelling on Commission-Owned Property Located at 4902 Astor Avenue (APN 5241-021-021), Previously Owned by Joy Padilla, and approval of Services Agreement with J & J Environmental Construction Corporation Therefor

The **Commission** will consider for approval the appropriation of funds for the removal and abatement of asbestos-containing materials and demolition of the existing dwelling on Commission-owned property located at 4902 Astor Avenue (APN 5241-021-021), previously owned by Joy Padilla, and the Services Agreement with J & J Environmental Construction Corporation therefor.

10. Request for Use of Marksmanship Range by, and Approval of Memorandum of Understanding No. PS26102298 with, Metropolitan Transportation Authority

The **City Council** will consider for approval, and authorizing the execution of, Memorandum of Understanding No. PS26102298 for use of the Marksmanship Range by the Los Angeles County Metropolitan Transportation Authority.

11. Advisement of Letter of Support for Los Angeles Regional Interoperable Communications System (LA-RICS)

The **City Council** will consider for receipt and filing a report regarding a Letter of Support that was sent from the City to the Civil Grand Jury supporting the creation of a Regional Interoperable Communications System, known as LA-RICS. The City will begin reviewing a Joint Powers Agreement (JPA), which will form the LA-RICS Authority. Once the JPA document has been approved by Los Angeles County, the City will have 45 days to approve the JPA, along with a Resolution, to become a member city in the LA-RICS Authority. After the LA-RICS Board of Directors determines a funding plan, the City will have the opportunity to review its commitment and agreement to determine if it will be financially feasible.

12. Award of Contract for 2007-2008 Bus Shelters Project No. 600968-07 Community Development Block Grant (CDBG) Program

The **City Council** will consider 1) awarding a contract for the 2007-2008 Bus Shelters Project No. 600968-07, as named above, to the lowest, responsible and responsive bidder, LNI Custom Manufacturing, of Hawthorne, California, in the amount of \$43,956.41; 2) authorizing a fifteen percent (15%) contingency for the project, and 3) authorizing the Mayor and City Clerk to execute the Standard Contract Agreement for said subject project on behalf of the City.

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13. Approval of Agreement for Attorney Services

The **City Council and Commission** will consider for approval, and authorizing the execution of, the Agreement for Attorney Services with W. Anthony Willoughby, to provide legal services to the City and Commission as Interim City Attorney and Interim Commission Counsel, respectively.

14. A Resolution of the City Council of the City of Commerce, Approving the Adoption of the Disadvantaged Business Enterprise (DBE) Program Participation Goals for Federal Fiscal Year 2008/2009

The **City Council** will consider for approval and adoption a proposed Resolution approving the adoption of the Disadvantaged Business Enterprise (DBE) Program Participation Goals for federal fiscal year 2008/2009.

15. A Resolution of the City Council of the City of Commerce Reviewing and Adopting the Policy for the Investments of the City of Commerce Funds

The City of Commerce Investment Policy is reviewed annually by the City Council. The policy is continually reviewed by the Finance Department for updating to meet State laws and local suitability. Necessary changes to the policy are presented to the City Council for approval.

The **City Council** will consider for approval and adoption a proposed Resolution reviewing and adopting the policy for the investments of the City of Commerce funds.

16. A Resolution of the Commerce Community Development Commission Reviewing and Adopting the Policy for the Investments of the Commerce Community Development Commission Funds

The Commerce Community Development Commission Investment Policy is reviewed annually by the Commission. The policy is continually reviewed by the Finance Department for updating to meet State laws and local suitability. Necessary changes to the policy are presented to the Commission for approval.

The **Commission** will consider for approval and adoption a proposed Resolution updating the Commerce Community Development Commission Investment Policy.

PUBLIC HEARINGS

17. Public Hearing – A Resolution of the City Council of the City of Commerce, California, Authorizing the Allocation of the 35th Year Community Development Block Grant (CDBG) Funds for Fiscal Year 2009/2010

The **City Council** will conduct a public hearing on, and thereafter consider for approval, a proposed Resolution authorizing the allocation of the 35th Year Community Development Block Grant (CDBG) funds for fiscal year 2009/2010.

SCHEDULED MATTERS

18. Request to Telecast City Council Candidates Forum

The **City Council** will consider, and take the appropriate action with respect to, a request received from the Commerce Industrial Council to have the City record and televise a Candidates' Forum being held on

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Tuesday February 10, 2009, regarding the March 3, 2009, General Municipal Election.

19. Presentation by East Yard Communities for Environmental Justice

At the request of Councilmember Fierro, the **City Council** will receive a brief video presentation from Angelo Logan, Executive Director of East Yard Communities for Environmental Justice, entitled "Fighting for a Healthy Environment".

20. South Coast Air Quality Management District (SCAQMD) - Rule 1309.1 Related Activity

At the request of Mayor Argumedo, the **City Council** will consider, and take the appropriate action with respect to, a report on the South Coast Air Quality Management District's (SCAQMD) activity related to Rule 1309.1, particularly as it relates to the proposed Vernon Power Plant.

21. City Council/Commission Vehicle Use Policy - Administration Department Standard Operating Procedure (SOP)

At the request of Mayor Pro Tempore Leon, the **City Council and Commission** will consider approving a Standard Operating Procedure (SOP) relating to the City Council/Commission Vehicle Use Policy, which clearly sets out an administrative procedure to ensure uniformity by Administration Department staff and provides a standard internal sign-out and return policy for Councilmembers/Commissioners.

22. Review of Nine Proposed Early Action Items of Air Quality Action Plan Preliminary Report for I-710 Corridor (Revised October 2007) and Providing Recommendations and Comments to Gateway Cities Council of Governments

The **City Council** will review, and take the appropriate action with respect to, nine proposed action items of the Air Quality Action Plan Preliminary Report for the I-710 Corridor and consider providing recommendations and comments to the Gateway Cities Council of Governments thereon for future consideration.

This item was continued from October 7, 2008.

23. Committee Appointment

The **City Council** will make the appropriate appointment to the following City Committee: I-710 Local Advisory Committee (Ad Hoc).

ORDINANCES AND RESOLUTIONS

24. An Ordinance of the City of Commerce, California, Revising Section 2.20.010 of Chapter 2 ("Compensation") of the Municipal Code With Respect to Compensation of Councilmembers – First Reading

The **City Council** will consider for first reading a proposed Ordinance revising Section 2.20.010 of Chapter 2 ("Compensation") of the Municipal Code with respect to compensation of Councilmembers.

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

25. 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) 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.

26. 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.

27. 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.

ADJOURNMENT

Adjourn in memory of Garth Gardner, former Councilmember of the City of Pico Rivera and longtime member of the Commerce Refuse to Energy Authority Board of Directors.

**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.**