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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, MAY 6, 2008 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Baca Del Rio

PLEDGE OF ALLEGIANCE

Evelyn Fullmore
Director of Library Services

INVOCATION

Councilmember/Commissioner Fierro

ROLL CALL

City Clerk/Assistant Secretary Olivieri

PUBLIC HEARINGS

APPEARANCES AND PRESENTATIONS

1. Proclamation – Designating May 11-17, 2008, as National Transportation Week

With the consent of the **Council**, the Mayor will proclaim May 11–17, 2008, as National Transportation Week in the City of Commerce.

The Proclamation will be received on behalf of the Transportation Department by Bobby Young, Bus Operator; Sergio Castro, Bus Operator; Ramona Thomas, Bus Operator, and Martha Alvarez, Office Assistant II.

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.

2. Approval of Warrant Register No. 21, dated May 6, 2008

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 21, dated May 6, 2008.

3. Financial Report Through March 31, 2008

The **City Council** and **Commission** will consider for receipt and filling, respectively, the financial reports through March 31, 2008.

4. City Treasurer's Report Through March 31, 2008

The **City Council** will consider for receipt and filling the City Treasurer's report through March 31, 2008.

5. Proclamation – Asthma Awareness Month

The **City Council** will consider designating the month of May 2008, as "Asthma Awareness Month" in the City of Commerce.

6. Proclamation – National Public Works Week

The **City Council** will consider designating the week of May 18–24, 2008, as "National Public Works Week" in the City of Commerce.

7. Prop A Fund Exchange - City of Lakewood

The **City Council** will consider for approval the Prop A Assignment Agreement with the City of Lakewood, exchanging \$420,000 of the City's General Fund for \$600,000 of Lakewood's Prop A Funds for fiscal year 2008-09 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.

8. Renewal of Volunteers of America Head Start as 2008 City of Commerce Civic Organization

The **City Council** will consider for approval the renewal of the Volunteers of America Head Start (formally known as ABC Head Start) as a 2008 Civic Organization, as recommended by the Parks & Recreation Commission.

9. Letter of Support Endorsing Assembly Bill 2546, Introduced by Assembly Member Hector De La Torre, Relating to Air Toxics "Hot Spots" Information and Assessment Act

The **City Council** will consider approving a proposed letter in support of Assembly Bill 2546, introduced by Assembly Member Hector De La Torre,

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relating to Air Toxics “Hot Spots” information and Assessment Act, which, among other things would revise the definition of “Air Release” or “Release” to include emissions at a facility from mobile sources that visit, or are used at a facility, and “airborne toxic risk reduction measure” to mean “any measure to reduce emissions or risk”.

10. Approval of Fourth Amendment to Interstate 5 Consortium Cities Joint Powers Agreement

The **City Council** will consider for approval the Fourth Amendment to Interstate 5 Consortium Cities Joint Powers Agreement (JPA), deleting from the JPA the provision that a unanimous vote be required for the approval of agreements and extensions of existing agreements and allowing a simple majority to approve these matters, provided that a quorum exists.

11. A Resolution of the Commerce Community Development Commission Requesting an Extension of the Terms of the Loan From the City of Commerce for Payment of Project Expenses for Project Area I

The **Commission** will consider for approval and adoption 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 I. The Commission will repay all accrued interest to date. The remaining principal and any accrued interest at 6.5% will be repaid within one year from any eligible funds available to the Commerce Community Development Commission.

12. A Resolution of the City Council of the City of Commerce Extending the Terms of a Loan to the Commerce Community Development Commission for Payment of Project Expenses for Project Area I

The **City Council** will consider for approval and adoption a proposed Resolution extending the terms of a loan to the Commerce Community Development Commission for payment of project expenses for Project Area I. The Commission will repay all accrued interest to date. The remaining principal and any accrued interest at 6.5% will be repaid within one year from any eligible funds available to the Commerce Community Development Commission.

SCHEDULED MATTERS

13. Award of Contract for 2007/2008 Park Shade Structures (Phase II) – Project No. 600967-07 Community Development Block Grant (CDBG) Program

The **City Council** will consider for approval awarding the Contract for the 2007/2008 Park Shade Structures (Phase II) – Project No. 600967007 Community Development Block Grant (CDBG) Program to the lowest responsible, responsive bidder, USA Shade & Fabric Structures, Inc., of Costa Mesa, California, in the amount of \$48,961.87 and authorizing the Mayor and the City Clerk to execute the City of Commerce Standard Contract Agreement for said subject project on behalf of the City.

14. Services Agreement with Simon Glover Inc. for Architectural Site Plans for 2007/2008 Park Shade Structures Project (Phase II)

The **City Council** will consider for approval, and authorizing the execution of, a Services Agreement with Simon Glover Inc. for architectural site plan services for the City’s 2007-2008 Park Shade Structures Project (Phase II).

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15. Award of Contracts for Various Project Sites of Atlantic Boulevard Commercial Façade Program – Project No. 600698-04 Community Development Block Grant (CDBG) Program

The **City Council** will consider awarding contracts for the various project sites of the Atlantic Boulevard Commercial Façade Program to the lowest responsible, responsive bidders as follows: C.A.S General Contractor, of Rowland Heights, in the amount of \$79,000 for project site Steven's Steakhouse; Dan Contractor, of Whittier, in the amount of \$47,000 for the project site Papel's, and in the amount of \$61,800 for project site Paul's Transmission; AZ Home Inc., of Van Nuys, in the amount of \$38,700 for the project site Commerce Flowers, and in the amount of \$39,850 for the project site Sergio's Tacos and authorizing the Mayor and City Clerk to execute the City of Commerce Standard Contract Agreements for said project sites on behalf of the City.

16. Services Agreement with Tierra West Advisors, Inc. for Redevelopment Plan Amendment Services for Project Area Nos. I, II, and III Regarding Tax Increment and Time Limits

The **Commission** will consider for approval, and authorizing the execution of, a Services Agreement with Tierra West Advisors, Inc. to increase the tax increment cap for Project Area No. I, and to extend the plan life and the collection of tax increment for Project Area Nos. II & III.

This item was continued from April 15, 2008.

Staff is recommending this item be continued to a future meeting date.

17. Report on Library's One City, One Book Program

The **City Council** will receive a report on the annual One City, One Book Program from Library Director Evelyn Fullmore and Young Adult Librarian Sonia Bautista and present the Mayor and City Councilmembers each with a copy of *Bless Me, Ultima*, the book selected for this year's program. Program brochures will also be distributed which list the dates and locations of the book discussion groups. Residents will be encouraged to read *Bless Me, Ultima* and attend one of the book discussions.

18. Update – Proposed Phase II Eastside Light Rail Extension

The **City Council** will receive and file a report from MTA staff regarding the proposed Phase II Eastside Light Rail Extension.

19. Feasibility Study for Light Rail System in Commerce

At the request of Councilmember Argumedo, the **City Council** will consider for approval directing staff to conduct a feasibility study for a light rail system in Commerce.

20. Street Monument Replacement Plan – Update and Approval of Final Design

The **City Council** will receive an update on the Street Monument Replacement Plan and consider for approval the final design of the street monuments.

21. Commission and Committee Appointments

The **City Council** will make the appropriate appointments to the following Committee: Library Commission, I-710 Local Advisory Committee and Pageant Steering Committee.

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ORDINANCES AND RESOLUTIONS

22. A Resolution of the City Council of the City of Commerce, California, Approving the Third Restated and Amended Joint Powers Agreement of the California Cities for Self Reliance Joint Powers Authority

The **City Council** will consider for approval and adoption a proposed Resolution of the City Council of the City of Commerce, California, approving the Third Restated and Amended Joint Powers Agreement of the California Cities for Self Reliance Joint Powers Authority relating to the effective date of said Agreement.

23. A Resolution of the City Council of the City of Commerce, California, in Support of Senate Bill 1695, Introduced by Senator Dean Florez, Related to Tribal Gaming

The **City Council** will consider for approval and adoption a proposed Resolution supporting Senate Bill 1695, introduced by Senator Dean Florez, which would prohibit the Governor from negotiating or concluding a gaming compact with a tribe that does not have land held in trust on which the gaming is to occur or that is not federally recognized and forwarding a letter of support to Senator Dean Florez.

24. A Resolution of the City Council of the City of Commerce, California, in Opposition to Proposition 98, Relating to Eminent Domain

The **City Council** will consider for approval and adoption a proposed Resolution in opposition to Proposition 98, relating to eminent domain, which will appear on the June 2008 Primary Election ballot.

25. A Resolution of the City Council of the City of Commerce, California, in Support of Proposition 99, Relating to Eminent Domain

The **City Council** will consider for approval and adoption a proposed Resolution in support of Proposition 99, relating to eminent domain, which will appear on the June 2008 Primary Election ballot.

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

26. 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; 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.

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- B. Silvestre Gonzales, of Casa De Gonzales Automotive Group, Inc., including proposed price and other terms, concerning property located at 6300 Telegraph Road, Commerce, California, commonly referred to as the Commerce Plaza Hotel property.

27. 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 Show Media, LLC, v. City of Commerce, a California Liability Company, Superior Court of the State of California, County of Los Angeles, Case No. BC388013.

28. 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.

29. Pursuant to Government Code §54957.6,

The **City Council** will confer with its labor negotiators, Jorge Rifa, Linda Kay Olivieri, Vilko Domic, Teresa McAllister and Richard Kreisler, with respect to labor negotiations pertaining to the proposed Memorandum of Understanding presented by the City of Commerce Employees Association on behalf of the mid-management and non-management full-time employees and part-time employees.

ADJOURNMENT

Adjourn in memory of Eleanor Macias, former City employee and grandmother of City employee Jason Stinnett, and Jack Heger, of Heger Realty, to Tuesday, May 13, 2008, at 6:30 p.m. in the City Hall Emergency Operations Center.

**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.**