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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 19, 2009 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Aguilar

PLEDGE OF ALLEGIANCE

Robert Chavez
Director of Community Services

INVOCATION

Councilmember/Commissioner Argumedo

ROLL CALL

Deputy City Clerk Mendoza

APPEARANCES AND PRESENTATIONS

1. Armed Forces Ceremony

The **City Council** will hold a special ceremony honoring the five branches of the military service and memorial ceremony to honor those killed or missing in action.

2. Presentation – Library Services Department's Second Annual Children's Drawing and Essay Contest

The City Council will present award certificates and prizes to each of the first place winners in the four different categories of the Library's Second Annual Children's Drawing and Essay Contest.

The theme for the 2009 Drawing and Essay Contest was, "If I Were President of the United States...". Children in Kindergarten to second grade entered the drawing contest, and students in third to twelfth grades entered the essay contest. The essay contest was divided into three age categories: 3rd to 5th grades, 6th to 8th grades and 9th to 12th grades. The essay portion of the contest provided 3rd to 12th graders an opportunity to express themselves in writing and to use their language art skills. Younger children were able to compete by entering the drawing portion of the contest. The students' families, teachers and school principals also have been invited to attend the presentation.

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.

3. Approval of Warrant Register No. 19, dated May 19, 2009

The **City Council** and **Commission** will consider for approval, respectively, the bills and claims set forth in Warrant Register No. 19, dated May 19, 2009.

4. Financial Report Through March 31, 2009

The **City Council** and **Commission** will consider for receipt and filling, respectively, the financial reports through March 31, 2009.

5. City Treasurer's Report Through March 31, 2009

The **City Council** will consider for receipt and filling the City Treasurer's report through March 31, 2009.

6. Presentation of Certificates of Achievement in Journalism to Editor-in-Chief Ricardo Medina and Bell Gardens High School Charger Yearbook and Staff

At the request of Mayor Aguilar and Mayor Pro Tempore Del Rio, the **City Council** will present Certificates of Achievement in Journalism to Bell Gardens High School Charger Yearbook's Editor-in-Chief Ricardo Medina and the yearbook staff for receiving First Place Honors in the American Scholastic Press Association's annual yearbook competition.

7. Approval of Continuing Disclosure Agreement with Urban Futures, Inc.

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The **City Council** will consider for approval the Continuing Disclosure Agreement with Urban Futures, Inc., which specializes in municipal debt disclosure. The proposed action will address the need for timely and adequate debt disclosure and meet the strict requirements outlined in the law.

8. Approval of Request for Proposal to Install Ultraviolet Disinfection System for the Aquatorium

The **City Council** will consider for approval, and authorizing staff to proceed with the issuance of, the Request for Proposal for the installation of an Ultraviolet Disinfection System for the Aquatorium.

9. Proposition C 5% Transit Security Funding

The **City Council** will consider authorizing the purchase of one replacement vehicle for the Community Safety Specialists and the transfer of funds to the Community Services Department for transit security services to be provided by the Community Safety Specialists.

10. Memorandum of Understanding for Proposition C 40% Discretionary Funds Backfill for State Transit Assistant (STA) Fund Shortfall

The **City Council** will consider the approval, and authorizing the execution of, Memorandum of Understanding MOU.PC09COM for Proposition C 40% Discretionary Funds to replace State Transit Assistance Funds that were eliminated in the state budget adopted in September 2008.

11. Approval of Purchase of Replacement Vehicles

The **City Council** will consider for approval the purchase of seven replacement vehicles through the State of California Department of General Services. This item is included in the 2008/2009 fiscal year budget.

12. Approval of City Attorney Employment and Services Agreement

The **City Council** and **Commission** will consider for approval, and authorizing the execution of, the City Attorney Employment and Services Agreement with Eduardo Olivo, to provide legal services to the City and Commission as City Attorney and Commission Counsel, respectively.

13. Adoption of Revised City of Commerce Personnel Policy and Procedure

The **City Council** will consider adopting the revised Performance Evaluation Policy IV-1 and authorizing the City Administrator and the Director of Human Resources to execute the revised policy.

14. Adoption of New City of Commerce Personnel Policy and Procedure

The **City Council** will consider adopting the new Employee Transfers Policy I-12 and authorizing the City Administrator and the Director of Human Resources to execute the new policy.

15. A Resolution of the Commerce Community Development Commission Requesting an Extension of the Terms of a 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 a loan from the City of

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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 7.5% will be repaid within one year from any eligible funds available to the Commerce Community Development Commission.

16. 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 7.5% will be repaid within one year from any eligible funds available to the Commerce Community Development Commission.

17. A Resolution of the Commerce Community Development Commission Requesting an Extension of the Terms of a Loan From the City of Commerce for Project Area IV Property Acquisition

The **Commission** will consider for approval and adoption a proposed Resolution requesting an extension of the terms of a loan from the City of Commerce for payment of project expenses for the acquisition of the Stahl Trust property located in Project Area IV.

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

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 the acquisition of the Stahl Trust property located in Project Area IV. The Commission will repay all accrued interest to date. The remaining principal and any accrued interest will be repaid within one year from any eligible funds available to the Commerce Community Development Commission.

19. A Resolution of the City Council of the City of Commerce Approving a Cost Increase in the Transit Bus Purchase Project

The **City Council** will consider for approval and adoption a proposed Resolution authorizing the increased cost for the purchase of the seven new transit buses from North American Bus Industries (NABI). The increased costs will cover the sales tax not billed by the manufacturer and an increase in price due to the size of the CNG storage tanks.

20. A Resolution of the City Council of the City of Commerce, California, Approving the Execution of the Cooperative Agreement Between the City of Commerce and Gateway Cities Council of Governments for Design and Construction of the Truck Impacted Intersection Project Phase II in the City of Commerce

The **City Council** will consider for approval and adoption a proposed Resolution approving the execution of the Cooperative Agreement between the City of Commerce and Gateway Cities Council of Governments for design and construction of the Truck Impacted Intersection Project Phase II in the City of Commerce.

The project covers all phases of work required for the design and reconstruction of the intersection of Washington Boulevard and Ayers Avenue.

PUBLIC HEARINGS

SCHEDULED MATTERS

21. Presentation by Los Angeles County Sheriff's Department on Plan of Action Resulting from Recent Crime Activity in the City

The **City Council** will receive a report from Captain Henry Romero, of the Los Angeles County Sheriff's Department and commander of the East Los Angeles Sheriff's Substation, pertaining to a plan of action as a result of recent crime activity in the City. At its meeting of May 5, 2009, the City Council requested that a follow-up report be presented at tonight's meeting on this subject matter.

22. Presentation From Goals Soccer Center, Inc.

The Council will receive a presentation from Mr. Les Allan, President of Goals Soccer Centers, Inc., in connection with the development of a private recreational soccer complex at 7316 E. Gage Avenue in the City of Commerce. The City Council will provide direction with respect to the presentation at their discretion.

23. 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.

ORDINANCES AND RESOLUTIONS

24. A Resolution of the City Council of the City of Commerce, California, in Support of Urging Water Companies to Explore Grant Funding Opportunities in an Effort to Optimize Water Fluoridation Levels Consistent With the Recommended American Dental Association (ADA) Level

The **City Council** will consider for approval and adoption a proposed Resolution in support of urging water companies to explore grant funding opportunities in an effort to optimize water fluoridation levels that are consistent with the recommended American Dental Association (ADA) level.

25. A Resolution of the City Council of the Commerce Approving the Establishment of Financial Policies

The **City Council** will consider for receipt and filing a proposed Resolution regarding the City's establishment of financial policies. The financial policies will serve as a foundation in making future resource allocation decisions and develop a plan to protect the City's current revenue base, an appropriate level of services to the community and the workforce that provide those services.

LEGISLATIVE UPDATE

CITY COUNCIL/COMMISSION REPORTS

RECESS TO CLOSED SESSION

26. 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.
- B.** Commerce Hyundai, including proposed price and other terms, concerning real property located at 5440 and 5540 Telegraph Road, Commerce, California.
- C.** 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.
- D.** Mayans Development, Inc., including proposed price and other terms concerning property located at 7617 Neenah Street; 1350 Eastern Avenue; 1544 Nicola; 7145, 7155, 7159 and 7169 Gage Avenue; 6025, 6100 and 6101 Greenwood Avenue and 7129, 7149 and 7163 Watcher Avenue, Commerce, California, commonly referred to as the Los Jardines Housing Development.

27. 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 Show Media, LLC, v. City of Commerce, a California Liability Company, Los Angeles 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.

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- 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,

- A.** The **City Council** will confer with its labor negotiator, Jorge Rifa, with respect to labor negotiations pertaining to the Memorandums of Understanding between the City and the City of Commerce Employees Association on behalf of the mid-management and non-management full-time employees and part-time employees.

ADJOURNMENT

Adjourn to Thursday, May 21, 2009, at 6:30 p.m. in the City Council Chambers in memory of John M. Hernandez, father-in-law of City employee Rebecca Longoria.

**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.**