

ALL ITEMS FOR CONSIDERATION BY THE CITY COUNCIL AND GOVERNING BODY OF THE SUCCESSOR AGENCY TO THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION ARE AVAILABLE FOR PUBLIC VIEWING IN THE OFFICE OF THE CITY CLERK/SECRETARY AND THE CENTRAL LIBRARY

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**AGENDA FOR THE
CONCURRENT REGULAR MEETINGS OF
THE CITY COUNCIL OF THE CITY OF COMMERCE AND
THE GOVERNING BODY OF THE SUCCESSOR AGENCY TO
THE COMMERCE COMMUNITY DEVELOPMENT COMMISSION
(HEREINAFTER "SUCCESSOR AGENCY")**

**COUNCIL CHAMBERS
5655 JILLSON STREET, COMMERCE, CALIFORNIA**

TUESDAY, JANUARY 7, 2014 – 6:30 P.M.

CALL TO ORDER

Mayor/Chairperson Aguilar

PLEDGE OF ALLEGIANCE

Beatriz Sarmiento,
Director of Library Services

INVOCATION

Councilmember/Board Member Altamirano

ROLL CALL

Deputy City Clerk Alexander

APPEARANCES AND PRESENTATIONS

PUBLIC COMMENT

Citizens wishing to address the City Council and Successor Agency 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/Successor Agency 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/Successor Agency 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/Successor Agency. Request to address City Council/Successor Agency cards are provided by the City Clerk/Secretary. If you wish to address the City Council/Successor Agency at this time, please complete a speaker's card and give it to the City Clerk/Secretary prior to commencement of the City Council/ Successor Agency meetings. 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:

CONCURRENT REGULAR COUNCIL/SUCCESSOR AGENCY AGENDA

1/7/2014 – 6:30 p.m.

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No person shall make any remarks which result in disrupting, disturbing or otherwise impeding the meeting.

CITY COUNCIL/SUCCESSOR AGENCY REPORTS

REVISION TO CALIFORNIA BROWN ACT EFFECTIVE JANUARY 1, 2014

1. Report on New Revision to the California Brown Act Effective January 1, 2014

The **Council** will receive an overview from the City Attorney, and take the appropriate action as deemed necessary with respect to, a revision to the Brown Act (Government Code Section 54953) that is effective January 1, 2014, related to actions (votes) taken by the legislative body of a local agency. This change applies to the Commerce City Council.

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 or Board Member 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 Minutes

The **City Council and Successor Agency** will consider for approval, respectively, the minutes of the Concurrent Adjourned Regular Meetings of Tuesday, December 3, 2013, held at 5:00 p.m.; Concurrent Regular Meetings of Tuesday, December 3, 2013, held at 6:30 p.m., Concurrent Special Meetings of Tuesday, December 17, 2013, held at 4:00 p.m., Concurrent Adjourned Regular Meetings of Tuesday, December 17, 2013, held at 6:30 p.m.

3. Approval of Warrant Register Nos. 11A and 11B

The **City Council and Successor Agency** will consider for approval, respectively, the bills and claims set forth in Warrant Registers No. 11A, dated January 7, 2014, and 11B for the period December 18, 2013 to December 31, 2013.

4. A Resolution of the City Council of the City of Commerce, California, Setting Fines for Violation of Commerce Municipal Code Section 9.060.020 (22) Regarding Smoking in City Parks

The **City Council** will consider for approval and adoption a proposed Resolution setting fines for violation of Commerce Municipal Code Section 9.060.020 (22) regarding smoking in City parks.

PUBLIC HEARINGS -- None

SCHEDULED MATTERS

5. A Resolution of the City Council of the City of Commerce, California, Authorizing Staff to File a \$50,000 Grant Application to the Local Sustainability Matching Fund Offered by Funders' Network for Smart Growth and Livable Communities

The purpose of the Local Sustainability Matching Fund is to catalyze partnerships between local government and local place-based foundations to advance important community-based sustainability initiatives.

CONCURRENT REGULAR COUNCIL/SUCCESSOR AGENCY AGENDA

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The **City Council** will consider for approval and adoption a proposed Resolution authorizing staff to file/submit a \$50,000 grant application to the Local Sustainability Matching Fund grant in the amount of \$50,000 offered by Funders' Network for Smart Growth and Livable Communities.

6. Reward for Information Leading to the Arrest of Perpetrator(s) In Bandini Park Vandalism Incident

The **City Council** will receive an update on, and take the appropriate action as deemed necessary with respect to, an incident of arson at Bandini Park and the possibility of the City offering a reward for information leading to the arrest of the perpetrator(s).

7. Approval of Purchase -- Four (4) Nissan Passenger Vans from Wondries Fleet Group

There are a total of eight 15-passenger vans identified as unsafe and need to be replaced. City Council approved the purchase of four of the replacement vans as part of Fiscal Year 2013/14 capital outlay budget. Based on current back orders and estimated vehicle delivery dates, staff is recommending that the remaining four vans scheduled for replacement be purchased at this time. This action will ensure that the City receives all the replacement passenger vans prior to the established deadline of May 2014.

The **City Council** will consider for approval the purchase of four (4) Nissan passenger vans.

ORDINANCES AND RESOLUTIONS

8. An Ordinance of the City Council of the City of Commerce, California Repealing Section 2.10.045 (Campaign Contribution Limitations – Non election Years) of Chapter 2.10 (Limitations on Campaign Contributions In City Elections) of the Commerce Municipal Code - Second Reading

The **City Council** will consider for approval and adoption a proposed Ordinance repealing Section 2.10.045 (Campaign Contribution Limitations – Non election Years) of Chapter 2.10 (Limitations on Campaign Contributions in City Elections) of the Commerce Municipal Code.

The proposed Ordinance was approved for first reading on December 17, 2013.

CIP PROGRESS REPORT – No Items

I-710 LOCAL ADVISORY COMMITTEE UPDATE – No Items

RECESS TO CLOSED SESSION – No Items

ADJOURNMENT

**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.**



AGENDA REPORT

DATE: January 7, 2014

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, SETTING FINES FOR VIOLATION OF COMMERCE MUNICIPAL CODE SECTION 9.060.020 (22) REGARDING SMOKING IN CITY PARKS

RECOMMENDATION:

Approve the Resolution and assign the number next in order.

MOTION:

Move to approve the recommendation.

ANALYSIS:

On October 15, 2013, the City Council enacted Ordinance No. 655, entitled "An Ordinance of the City Council of the City of Commerce, California Amending Sections 9.06.020 ("Prohibited Conduct Generally") of Title 9 ("Peace, Safety and Morals") of the Commerce Municipal Code." Ordinance No. 655 amended Section 9.06.020 to include language prohibiting smoking in City parks.

On August 6, 2001, Governor Davis signed AB 188 prohibiting the smoking or disposal of any "cigarette, cigar, or other tobacco-related product" within a playground or tot lot sandbox area and establishing a \$100 fine for any violation. The law became effective January 1, 2002, and applies statewide to all playground and tot lots located on public or private school grounds, or on city, county or state park grounds. On September 15, 2002, the State raised the fine to \$250 and expanded the scope of the bill to include any area within 25 feet of a playground or tot lot sandbox area. *Health and Safety Code* §104495.

CMC Section 9.06.062 provides, "Any person failing to comply with provisions of this chapter shall be guilty of an infraction. The City Council shall set fines for such infractions by Resolution." Staff recommends that the City Council adopt a resolution establishing violations for smoking in parks to be treated as infractions punishable by a fine of \$100 for the first violation, \$200 for the second violation within a year, and \$500 for the third violation in a year.

FISCAL IMPACT: None.

Reviewed by,

Vilko Domic
Finance Director

Respectfully submitted,

Jorge Rifa
City Administrator

Approved as to form,

Eduardo Olivo
City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, SETTING FINES FOR VIOLATION OF COMMERCE MUNICIPAL CODE SECTION 9.060.020 (22) REGARDING SMOKING IN CITY PARKS

WHEREAS, on October 15, 2013, the City Council enacted Ordinance No. 655, entitled "An Ordinance of the City Council of the City of Commerce, California Amending Sections 9.06.020 ("Prohibited Conduct Generally") of Title 9 ("Peace, Safety and Morals") of the Commerce Municipal Code." Ordinance No. 655, amended Section 9.06.020 to include language prohibiting smoking in City parks; and

WHEREAS, on August 6, 2001, Governor Davis signed AB 188 prohibiting the smoking or disposal of any "cigarette, cigar, or other tobacco-related product" within a playground or tot lot sandbox area and establishing a \$100 fine for any violation. The law became effective January 1, 2002 and applies statewide to all playground and tot lots located on public or private school grounds, or on city, county or state park grounds. On September 15, 2002, the State raised the fine to \$250 and expanded the scope of the bill to include any area within 25 feet of a playground or tot lot sandbox area. *Health and Safety Code* §104495; and

WHEREAS, CMC Section 9.06.062 provides, "Any person failing to comply with provisions of this chapter shall be guilty of an infraction. The City Council shall set fines for such infractions by Resolution;" and

WHEREAS, staff recommends that the City Council adopt a Resolution establishing violations for smoking in parks to be treated as infractions punishable by a fine of \$100 for the first violation, \$200 for the second violation within a year, and \$500 for the third violation in a year.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Violations of Section 9.060.020 subsection (22) of Chapter 9.06 of the Commerce Municipal Code shall be punishable by a fine of \$100 for the first violation, \$200 for the second violation within a year, and \$500 for the third violation in a year.

Section 2. This Resolution shall become effective immediately upon adoption.

PASSED, APPROVED and ADOPTED this 7th day of January, 2014.

Joe Aguilar
Mayor

ATTEST:

Victoria M. Alexander
Deputy City Clerk



AGENDA REPORT

MEETING DATE: 01/07/14

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, AUTHORIZING STAFF TO FILE A \$50,000 GRANT APPLICATION TO THE LOCAL SUSTAINABILITY MATCHING FUND OFFERED BY FUNDERS' NETWORK FOR SMART GROWTH AND LIVABLE COMMUNITIES

RECOMMENDATION:

The **City Council** will consider for approval and adoption a proposed Resolution, authorizing staff to file/submit a \$50,000 grant application to the Local Sustainability Matching Fund offered by Funders' Network for Smart Growth and Livable Communities. Consistent with previous Council direction, the staff is recommending approval of the application as directed at the City Council meeting of December 17, 2013.

MOTION:

City Council discretion.

BACKGROUND

The purpose of the Local Sustainability Matching Fund (Matching Fund) is to catalyze partnerships between local governments and local, place-based foundations to advance important community-based sustainability initiatives. The Matching Fund is intended both to support significant urban sustainability projects and to build bridges between public sector sustainability leaders and local foundations. The Fund will provide matching investments from national foundations on a competitive basis to build partnerships and to advance sustainability initiatives that demonstrate broad-based community support and engagement.

On November 5, 2013, the Council received an update from the Green Zones Working Group. At that time, the City Council adopted the strategies contained in the Green Zones Working Group Report. This report was the culmination of more than a year's work by the Green Zones Working Group. The report included four key strategies which are objectives for moving forward: prevention, reduction, revitalization, and reinvestment. It is important to note that all of these strategies are consistent with the sustainability component which is the focus of the grant. There was general consensus on most the recommendations by the Working Group, including the identification of the Washington Boulevard (and Atlantic Boulevard) corridors as viable candidates for Specific Plans.

At the December 17, 2013 Council meeting, Mr. Angelo Logan representing East Yard Communities for Environmental Justice, and also a member of the Green Zone Working Group, suggested to the Council the preparation of the grant.

ANALYSIS:

The City of Commerce has an opportunity to proceed with a request from Funders' Network for \$25,000, and a committed match of \$25,000 from the Liberty Hill Foundation for a total of \$50,000. Initially, the grant was based on a Liberty Hill

match of \$50,000. Liberty Hill reduced the funding commitment to a \$25,000 match.

The application deadline for the Local Sustainability Matching Fund Round 4 cycle is set for Wednesday, January 8, 2014 (12:00 p.m. midnight, any time zone). City staff is collaborating with California Consulting, LLC on this grant proposal to meet this tight deadline.

A Specific Plan Emphasizing Sustainability

Consistent with the recommendations of the Green Zones Working Group, staff has identified the Washington Boulevard Corridor as a viable study area for a Specific Plan. According to the California Governor's Office of Planning and Research, a "Specific Plan" is authorized by State Law as a tool for the systematic implementation of the City's General Plan. It effectively establishes a link between implementing policies of the General Plan and the individual development proposals in a defined area. A Specific Plan may be as general as setting forth broad policy concepts, or as detailed as providing direction to every facet of development from the type, location and intensity of uses to the design and capacity of infrastructure; from the resources used to finance public improvements to the design guidelines of a subdivision.

A main objective of the Specific Plan will be to encourage (wherever possible) the preservation, maintenance, and more importantly, enhancement of existing building stock. Known as "adaptive reuse", this technique seeks to reuse (rather than demolish) existing building stock by updating and remodeling these buildings to adapt them to new market uses and trends. An example of this would be the conversion of a former building that housed a warehouse or industrial use into flexible office space or even mixed use. Adaptive reuse is a sophisticated way of "recycling or reusing buildings" which is far less impactful on the environment and is consistent with sustainability practices. More importantly, it allows those buildings to stay current with the changing demands of the marketplace thereby incentivizing property owners, while encouraging uses that are more complimentary to and compatible with the City's adjacent residential neighborhoods.

To be effective, the Specific Plan will require the collection and analysis of significant amounts of detailed data by experienced planners with a specific task whose time is not compromised or interrupted by other planning related day to day activities. Since most planning agencies do not have the staff to commit to the preparation process, most plans include the involvement and cost of outside consultants. Similarly, the incorporation of the plan into the day to day planning processes may require the commitment of additional staff time, particularly when the plan establishes regulations which are only applicable to the area affected by the plan. For these reasons, the grant, if funded, will allow for staff to contract out for the preparation while overseeing and directing its preparation consistent with the Council and communities objectives.

According to the American Planning Association, "planners have leadership roles in forming and implementing the strategies by which communities seek to use resources efficiently, to promote an enhanced quality of life, and to create new business to strengthen their economies, and support infrastructures". The Specific Plan, which emphasizes sustainability, can be a powerful tool to effect positive change.

"Adaptive Reuse" and a Specific Plan for Washington Blvd (east of the 710 freeway) from the staff's view fulfills the sustainability purpose of the grant in that it provides for the preparation of a community based plan for the sustainability of property and a building inventory which have lost a significant part of their community and economic viability in the 50 years plus.

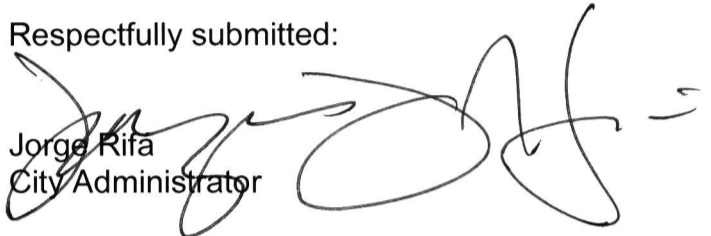
FISCAL IMPACT:

If funded, the \$50,000 grant award may prove insufficient for such a complex and challenging initiative. Based on the RFP responses for the plan, additional funding may be needed from another grant or City funding.

RELATIONSHIP TO 2012 STRATEGIC GOALS:

This agenda report before Council has no relation to a specific strategic objective; however, it is applicable to the following strategic goal: *Develop a tangible environmental mitigation plan.*

Respectfully submitted:



Jorge Rifa
City Administrator

Prepared and reviewed by:



Alex Hamilton
Interim Public Works & Development Services Director

Fiscal impact reviewed by:



Vilko Domic
Finance Director

Approved as to form:



Eduardo Olivo
City Attorney

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA, AUTHORIZING STAFF TO FILE A \$50,000 GRANT APPLICATION
TO THE LOCAL SUSTAINABILITY MATCHING FUND OFFERED BY FUNDERS'
NETWORK FOR SMART GROWTH AND LIVABLE COMMUNITIES

WHEREAS, the City of Commerce has an opportunity to file an application for a \$50,000 grant from the Local Sustainability Matching Fund offered by Funders' Network for Smart Growth and Livable Communities; and

WHEREAS, the purpose of the Local Sustainability Matching Fund (Matching Fund) is to catalyze partnerships between local governments and local place-based foundations to advance important community-based sustainability initiatives. The Matching Fund is intended to support significant urban sustainability projects and to build bridges between public sector sustainability leaders and local foundations. The Fund will provide matching investments from national foundations on a competitive basis to build partnerships and to advance sustainability initiatives that demonstrate broad-based community support and engagement; and

WHEREAS, on November 5, 2013, the City Council received an update from the Green Zones Working Group. At that time, the City Council adopted the strategies contained in the Green Zones Working Group Report. The report included four key strategies, which are objectives for moving forward: prevention, reduction, revitalization, and reinvestment. All of these strategies are consistent with the sustainability component, which is the focus of the grant; and

WHEREAS, the application deadline for the Local Sustainability Matching Fund Round 4 cycle is set for Wednesday, January 8, 2014 (12:00 p.m. midnight, any time zone). The City would like to proceed with the grant application process.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE AS FOLLOWS:

Section 1. City staff is directed to proceed with the Local Sustainability Matching Fund grant process. City staff is authorized to collaborate with California Consulting, LLC on the grant proposal.

Section 2. The City Administrator is authorized to execute all necessary paperwork in connection with the application process, for and on behalf of the City of Commerce.

Section 3. This resolution shall take effect upon its adoption.

PASSED, APPROVED and ADOPTED this 7th day of January, 2014.

Joe Aguilar, Mayor

ATTEST:

Victoria Alexander
Deputy City Clerk



AGENDA REPORT

Meeting date: 1/7/14

TO: Honorable City Council

FROM: City Administrator

SUBJECT: REWARD FOR INFORMATION LEADING TO THE ARREST OF PERPETRATOR(S) IN BANDINI PARK VANDALISM INCIDENT

RECOMMENDATION:

Receive a report on and thereafter consider and take appropriate action as deemed necessary with respect to a staff update on an incident of arson at Bandini Park and the possibility of the City offering a reward of \$2,000 for information leading to the arrest of the perpetrator(s).

MOTION:

Council discretion.

BACKGROUND:

On Friday, December 27, 2013, there was an incident of arson at Bandini Park, in which an individual(s) set fire to several trees in Bandini Park. Nineteen cypress trees were completely destroyed by fire and it was only the quick action of the Los Angeles County Fire Department that prevented the fire from damaging other trees, the Community Center, or adjacent homes.

ANALYSIS:

The Los Angeles County Sheriff's Department is investigating the incident and staff will need to replace the damaged trees, at the conclusion of the investigation. Council may wish to offer a reward of \$2,000 for information leading to the arrest and conviction of the individual(s) responsible.

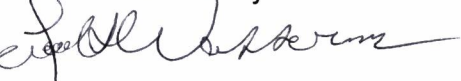
FISCAL IMPACT:

Staff recommends providing \$2,000 from the Miscellaneous Expense account (10-8805-73010) as a reward.

RELATIONSHIP TO STRATEGIC GOALS:

This agenda item relates to Council's goal of maintaining and improving infrastructure to beautify the City.

Recommended by:


Scott Wasserman
Director of Parks and Recreation

Respectfully submitted,


Jorge Rifa
City Administrator

Fiscal Impact reviewed by:


Vilko Domic
Director of Finance

Approved as to Form:


Eduardo Olivo
City Attorney

AGENDA ITEM No. 6



AGENDA REPORT

Meeting Date: January 7, 2014

TO: Honorable City Council

FROM: City Administrator

SUBJECT: APPROVAL OF PURCHASE OF FOUR (4) NISSAN PASSENGER VANS FROM WONDRIES FLEET GROUP

RECOMMENDATION:

Move to approve the purchase of four (4) Nissan passenger vans.

MOTION:

Move to approve recommendation.

BACKGROUND:

All California Joint Powers Insurance Authority (CJPIA) members are enrolled in the General and Automobile Liability Protection Program. The City of Commerce is a founding member of CJPIA. On May 31, 2011, CJPIA notified the City via the Loss Control Action Plan (LossCAP) Risk Management Evaluation report, that the City's 15 passenger vans were deemed unsafe due to the increased propensity for vehicle rollover. Therefore, CJPIA recommended that the vans be removed from service or replaced.

The Federal Motor Carrier Safety Administration (FMCSA) confirmed that the vans were deemed unsafe and concurred with CJPIA's recommendation.

As an immediate corrective action plan, staff removed the last two rows of seats out of the passenger vans to reduce chance of roll overs, accidents and liability exposure to the City. Per CJPIA, the removal of the last row of seats is a temporary fix and the existing passenger vans have to be replaced with 2013 or newer equipment. Additionally, CJPIA advised that equipment from 2013 or newer is better designed to accommodate shifts in weight, better steering capabilities and improved braking technology; in comparison to the City's existing fleet.

The City submitted an aggressive vehicle replacement plan to CJPIA and agreed to replace all the 15-passenger vans by May 2014.

ANALYSIS:

There are a total of eight 15-passenger vans identified as unsafe and need to be replaced. City Council approved the purchase of four of the replacement vans as part of Fiscal Year 2013/14 capital outlay budget.

The four vans were ordered on July 31, 2013 (Purchase Order # 2014-10000324). On September 25, 2013, the City was notified by the vehicle manufacturer (Nissan) that the vans were on back order and the new delivery date to the City is approximately February 2014.

Based on current back orders and estimated vehicle delivery dates, staff is recommending that the remaining four vans scheduled for replacement be purchased at this time. This action will ensure that the City receives all the replacement vans prior to the established deadline of May 2014.

FISCAL IMPACT:

The cost to purchase the remaining four (4) passenger vans is as follows:

Number of Vehicles	4
Purchase Price	\$ 146,522
Contingency 4%	\$ 5,860
TOTAL PRICE	\$ 152,382

The vehicles shall be purchased using State of California CMAS Contract #1-13-23-20F.

As stated above, staff is recommending the purchase of the replacement vans premised on improving passenger safety and reducing the City's liability exposure. Staff is comfortable in recommending the use of General Fund reserves (FYE 12/13 surplus funds) to facilitate the procurement of said vans at this time.

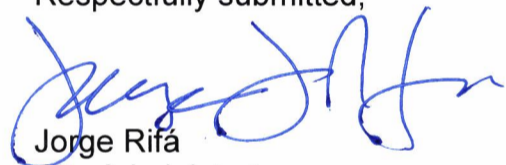
STRATEGIC GOALS:

This agenda item relates to the 2012 strategic planning goal: "review and update services and activities to increase efficiency," as the purchase of the replacement vans will improve passenger safety and reduce the City's liability exposure.

Recommended and Prepared by:


Claude McFerguson
Director of Transportation


Respectfully submitted,


Jorge Rifa
City Administrator


Recommended by:


Scott Wasserman
Director of Parks and Recreation

Budget Impact Review by:


Vilko Domic
Director of Finance

Approved as to Form:


Eduardo Olivo
City Attorney



AGENDA REPORT

DATE: January 7, 2014

TO: HONORABLE CITY COUNCIL

FROM: CITY ADMINISTRATOR

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA REPEALING SECTION 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NONELECTION YEARS) OF CHAPTER 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) OF THE COMMERCE MUNICIPAL CODE – Second Reading

RECOMMENDATION:

Approve and adopt the Ordinance and assign the number next in order.

MOTION:

- 1) Move to read the Ordinance by title only.
- 2) Move to approve and adopt the Ordinance and assign the number next in order.
- 3) Roll Call Vote.

BACKGROUND:

Section 2.10.040 of the Commerce Municipal Code (CMC) imposed campaign contribution limitations in the City of Commerce of one thousand dollars with respect to a single election in support of or opposition to a single candidate or measure, including contributions to all committees supporting or opposing such candidate or measure. Section 2.10.045, which was added in 2012, further provides that, notwithstanding the provisions set forth in Section 2.10.040, no person or councilmember shall solicit or accept, any contribution which will cause the total amount contributed by such person with respect to any calendar year at which said councilmember has not declared his or her candidacy, to exceed one thousand dollars.

On November 19, 2013, the City Council discussed the merits of the campaign contribution limitation imposed by Section 2.10.045 of the CMC. The City Council discussed the matter and ultimately determined that Section 2.10.045 should be repealed. The City Attorney has prepared the attached Ordinance that will repeal Section 2.10.045.

The proposed Ordinance was approved for first reading on December 17, 2013.

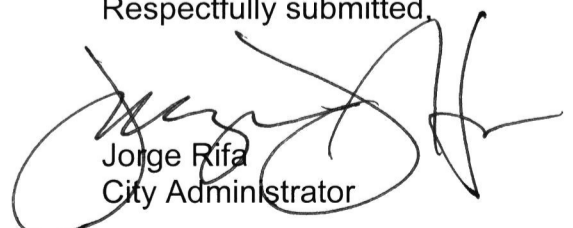
FISCAL IMPACT:

No fiscal impact will arise from the adoption of this Ordinance.

Approved as to form,


Eduardo Olivo
City Attorney

Respectfully submitted,


Jorge Rifa
City Administrator

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA REPEALING SECTION 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NONELECTION YEARS) OF CHAPTER 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) OF THE COMMERCE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Section 2.10.045 (CAMPAIGN CONTRIBUTION LIMITATIONS – NONELECTION YEARS) of Chapter 2.10 (LIMITATIONS ON CAMPAIGN CONTRIBUTIONS IN CITY ELECTIONS) of the Commerce Municipal Code is hereby repealed.

SECTION 2. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Chapter is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council declares that it would have adopted this Chapter, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

SECTION 3. Effective Date.

This Ordinance shall become effective thirty (30) calendar days from and after its adoption.

SECTION 4. The City Clerk shall attest to the adoption of this Ordinance and shall cause this Ordinance to be posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2014.

CITY OF COMMERCE

By: _____
Joe Aguilar
Mayor

ATTEST:

Victoria M. Alexander
Deputy City Clerk